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STATE OF NORTH CAROLINA

PUBLIC-LOCAL LAWS

ENACTED BY THE

GENERAL ASSEMBLY

AT ITS

EXTRA SESSION OF 1921

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

TUESDAY, THE SIXTH DAY OF DECEMBER, A.D. 1921

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CAPTIONS OF THE PUBLIC-LOCAL LAWS

EXTRA SESSION, 1921

CHAP.	PAGE
1. An act to amend chapter 38 of the Public Laws of 1921, known as the Machinery Act, as related to Union County.....	1
2. An act to authorize the county boards of Caswell County to review valuation of real estate.....	1
3. An act to amend section 101, chapter 38 of the Public Laws of North Carolina, 1921, relative to commission allowed sheriff of Wake County for the collection of taxes.....	2
4. An act for the working, improving, and repairing the public roads in Haywood County.....	3
5. An act to amend chapter 184, Private Laws 1921, and chapter 426, Public-Local Laws 1921, relating to Indian schools in Robeson County	8
6. An act to amend chapter 447 of the Public-Local Laws of 1921, being an act to create Duplin County Highway Commission.....	9
7. An act to amend chapter 347 of the Public-Local Laws of the session of 1921	10
8. An act to prevent public drunkenness in Avery County, North Carolina	10
9. An act to amend chapter 594, Public-Local Laws of 1915, which said act is An act to fix the salaries for certain of the county officers of Northampton County	11
10. An act to separate the offices of tax collector and treasurer of Henderson County	12
11. An act to repeal chapter 558 of the Public-Local Laws of 1921, relative to a public wharf in Straits Township, Carteret County.....	14
12. An act to repeal chapter 84 of the Public-Local Laws of 1920, relating to a bond issue of Nash County.....	14
13. An act to amend chapter 586, Public-Local Laws of 1919, relative to the enforcement of the law against the manufacture and sale of intoxicating liquors in Chatham County.....	15
14. An act to prevent the dumping of sawdust in Upper Little River and its tributaries in Harnett County.....	15
15. An act to increase the powers of the board of commissioners of Robeson County with respect to game birds and the seasons for the killing of the same.....	15
16. An act to authorize Union County to issue road and bridge bonds and to provide for the payment thereof.....	16
17. An act to amend chapter 192, Public-Local Laws 1921, relative to seining in Catawba River, McDowell County.....	20
18. An act to authorize the board of commissioners of Wilson County to issue bonds to fund certain floating indebtedness.....	20

CHAP.	PAGE
19. An act to authorize the county commissioners of Granville County to employ a special officer for the enforcement of the criminal law.....	21
20. An act to amend section 1, chapter 106, Public-Local Laws of 1913, relating to amount of bond issue for railroads in Duplin County.....	22
21. An act to authorize the board of commissioners of Duplin County to issue bonds to build a jail and to locate and condemn a site for same	23
22. An act to validate \$25,000 of road bonds of Nut Bush Township, Warren County, North Carolina.....	25
23. An act to ratify bridge bonds of Bertie County.....	27
24. An act relating to certain bonds and notes of the county of Lenoir.....	27
25. An act to amend and supplement chapter 496 of the Public-Local Laws of 1919, and to ratify and validate the action of the county commissioners of Nash County in levying a tax thereunder for the public roads of said county.....	29
26. An act authorizing the board of commissioners of Montgomery County to issue bonds to complete a courthouse and jail.....	30
27. An act to amend chapter 248 of the Public-Local Laws of 1921, reducing the number of county commissioners of Chatham County.....	31
28. An act to authorize Montgomery County to issue road and bridge bonds, and to provide for the payment thereof.....	31
29. An act to amend section 2116 of the Consolidated Statutes, relating to the game laws of Pamlico County.....	33
30. An act to amend chapter 126, Public-Local Laws, session 1915, relating to the highway commission of Pasquotank County.....	33
31. An act to amend chapter 323, Public-Local Laws 1921, and to authorize the issue of bonds for the payment of road debt of Macon County	34
32. An act to amend section 2, chapter 174, of the Public-Local Laws of 1921, relating to the hunting of foxes in Alexander County.....	35
33. An act to prevent the killing of quail in Wittenburg Township in the county of Alexander.....	35
34. An act relating to the fees of the clerk Superior Court of Chowan County	36
35. An act to authorize the board of commissioners of Cleveland County to appoint a tax auditor for the county of Cleveland.....	36
36. An act to regulate shooting wild fowl in the waters of Dare County, and protection of game therein.....	37
37. An act to repeal chapter 419, Public-Local Laws 1917, and to authorize the trustees of the Teachers' Retirement Fund of Guilford County to make final settlement with the active members of the association	40
38. An act to amend "An act to equalize school advantages in Guilford County, North Carolina," said act constituting chapter 131, Public-Local Laws, session of 1921.....	41
39. An act to provide for the better maintenance of the public roads of Scotland County	42

CHAP.	PAGE
40. An act to protect pheasants in Richmond and Moore counties.....	44
41. An act to amend chapter 137 of the Public-Local Laws of 1921, relating to rural police of Polk County.....	44
42. An act to amend chapter 86 of the Public-Local Laws of 1919, relative to the county home of Randolph County.....	45
43. An act to amend chapter 103, Public-Local Laws, extra session 1920, entitled "An act to provide for the improvement of the public roads and bridges of the county of Beaufort".....	45
44. An act to validate certain notes of the county of Jones, and to provide for the payment of said notes.....	46
45. An act to amend in respect of road bonds and maintenance taxes chapter 53, Public-Local Laws of 1920, entitled "An act to supple- ment the road fund of Person County".....	48
46. An act to validate a bond issue of Fork Township in Wayne County....	50
47. An act to create a county road commission in Chowan County.....	51
48. An act to ratify \$75,000 Mecklenburg County bridge bonds, and to provide for the payment of the principal and interest thereof by taxation	51
49. An act to authorize the issuance of bonds of Raleigh Township, Wake County, for school purposes.....	52
50. An act to put the sheriff of Chowan County on a salary.....	55
51. An act to amend chapter 163, Public-Local Laws of North Carolina, session 1921, pertaining to the working of the public roads of Rutherford County	56
52. An act to authorize the board of commissioners of Mecklenburg County to levy a special tax for the purpose of paying the floating indebtedness of Sharon and Charlotte townships.....	56
53. An act to authorize Cumberland County commissioners to levy school tax to correct an error.....	57
54. An act to authorize and empower the county of Wilson to issue bonds to construct and build the public roads of the county.....	58
55. An act to amend the Granville County road law.....	66
56. An act to place the officers of Harnett County upon a fee basis.....	67
57. An act to fix the compensation of the chairman of the board of county commissioners of Rowan County.....	68
58. An act to amend chapter 113, Public Laws 1921, increasing the fees of justices of the peace for Moore County.....	68
59. An act to validate certain notes of the county of Jones, and to pro- vide for the payment of said notes.....	69
60. An act to validate a bond issue of Townsville Township in Vance County	71
61. An act to provide additional means for the collection of charges of telephone exchanges	72
62. An act to amend chapter 575, Public-Local Laws 1921, relating to the public roads of Columbus County, and authorize the borrowing of money by the township road commission of Columbus County.....	73
63. An act to authorize the issuance of road bonds for Sampson County....	74

CHAP.	PAGE
64. An act to amend chapter 326, Public-Local Laws of 1921, relating to the public roads of Mitchell County, and to authorize bond issues and special taxes therefor.....	76
65. An act for the protection of pheasants in Rutherford County.....	79
66. An act to authorize the board of commissioners of Guilford County to issue notes.....	79
67. An act to amend chapter 308, Public-Local Laws 1921, relating to the public roads of Caswell County.....	80
68. An act to authorize the board of road commissioners of Hertford County to expend a sum of money not exceeding \$8,500 out of the proceeds derived from the sale of the road bonds to pay off and discharge the indebtedness of Murfreesboro Township, created for road construction prior to the sale of said road bonds, and to repeal section 26 of chapter 347 of the Public-Local Laws of 1921.....	81
69. An act to make it unlawful to operate slot machines or other machine of chance, or to own or operate public poolrooms or billiard rooms in Watauga County.....	82
70. An act to prohibit the dumping of sawdust in the streams and creeks of Graham County.....	83
71. An act to amend chapter 578, section 2, of the Public-Local Laws of 1921, relating to fees allowed the sheriff of Cabarrus County for serving process	83
72. An act to repeal section 21 of chapter 201 of the Public Laws of 1907, relating to the public roads of Cabarrus County.....	84
73. An act to amend chapter 518 of the Public-Local Laws of 1913, amending the school law in its application to Buncombe County.....	84
74. An act to amend chapter 555 of the Public-Local Laws of North Carolina, session of 1921, relating to the road law of Robeson County.....	84
75. An act to validate the sale of certain road bonds for Ashe County.....	85
76. An act relating to the compensation of deputy sheriffs of Union County, North Carolina.....	86
77. An act relating to unclaimed fees in the hands of the clerk of the Superior Court of Wake County.....	87
78. An act to provide for the construction and maintenance of a county home for the aged and infirm of Johnston County.....	87
79. An act to validate a bond issue of Smithfield Township in Johnston County	88
80. An act relating to a cotton weigher and grader for Cumberland County	89
81. An act relating to the operation of motor vehicles in Cumberland County	92
82. An act to prohibit the trapping for bear or other game with steel or metal traps in Jackson County.....	92
83. An act to amend chapter 113, Public Laws of 1921, relating to the fees of justices of the peace in Pamlico County.....	93
84. An act to repeal chapter 529, Public-Local Laws, session 1917, relating to Richardson's Creek in Rutherford County.....	93

CHAP.	PAGE
85. An act to amend chapter 113, Public Laws 1921, amending section 3923 of the Consolidated Statutes, increasing the fees of justices of the peace in Onslow County.....	93
86. An act to fix the compensation of the members of the board of county commissioners of Jackson County.....	94
87. An act to amend chapter 578 of the Public-Local Laws of North Carolina, session 1921, relating to the fees of the sheriff in Bertie County	94
88. An act to validate and authorize the issuance of \$150,000 McDowell County courthouse bonds, and to provide a sufficient tax for the payment of principal and interest thereof.....	94
89. An act to amend sections 2109 and 2114 of the Consolidated Statutes, relating to the closed season for deer and squirrel in Halifax County	95
90. An act to amend chapter 120, Public-Local Laws of North Carolina, extra session of 1920, amendatory of chapter 328 of the Public-Local Laws of North Carolina, session 1919, relating to a system of working the roads of Bertie County, and to further amend chapter 328 of the Public-Local Laws of North Carolina, session 1919, relating to working the roads of Bertie County.....	96
91. An act to authorize Number Six Township, Cleveland County, to erect and own a public hospital and issue bonds therefor.....	97
92. An act to amend section 2117 of the Consolidated Statutes, relating to the closed season for wild turkeys in Pender County.....	100
93. An act to amend chapter 577, Public-Local Laws of 1921, so as to constitute the treasurer of the Central Highway Commission of Person County the legal custodian of the road funds of said county..	100
94. An act to amend section 2116 of the Consolidated Statutes, relative to the close season for quail or partridge in Polk and Rutherford counties	101
95. An act to prevent the depredation of domestic fowls in Person County	102
96. An act to authorize Person County to issue and sell road bonds.....	102
97. An act to regulate the fees for serving State warrants, civil summonses, and subpoenas, for Vance County.....	105
98. An act to authorize the commissioners of Swain County to levy a tax for the support of the county poor.....	105
99. An act to amend chapter 345, Public-Local Laws of 1915, known as the Wilkes County road law.....	106
100. An act to repeal chapter 33 of the Public Laws of the extra session in 1920, and to amend chapter 505 of the Public-Local Laws of 1917, relating to the salary of sheriff of Hertford County.....	107
101. An act to amend chapter 383, Public-Local Laws 1921, being an act to create a highway commission for the county of Mecklenburg.....	107
102. An act to amend and correct section (f), chapter 578 of the Public-Local Laws of North Carolina of 1921.....	108
103. An act to amend section 3908 of the Consolidated Statutes of North Carolina, relative to certain fees collected by the sheriff of Wake County	109

CHAP.	PAGE
104. An act to amend chapter 227 of Public-Local Laws of 1921, relating to sale of county property.....	109
105. An act to amend section 1, chapter 803 of the Public-Local Laws of North Carolina of 1913.....	109
106. An act to repeal chapter 607 of the Public-Local Laws of 1919, relating to probate fees in Harnett County.....	110
107. An act to amend House Bill 44, Senate Bill 69, entitled "An act to separate the offices of tax collector and treasurer of Henderson County," ratified December 10, 1921.....	110
108. An act relating to the fees to be collected by the register of deeds of Rockingham County	111
109. An act to amend chapter 576 of the Public-Local Laws 1919, providing a schedule of fees to be collected by the clerk of the Superior Court in Rockingham County.....	111
110. An act to amend section 1, chapter 7 of the Public-Local Laws of extra session of 1920, relating to work on public roads of Madison County	112
111. An act to amend chapter 409 of the Public-Local Laws of 1921, relating to the employment of a traffic officer by the Central Highway Commission of Person County.....	112
112. An act relating to the election of the county auditor of Wayne County, North Carolina.....	113
113. An act to amend chapter 578, Public-Local and Private Laws, session of 1921, by adding Chowan County to the list of counties named in said chapter.....	114
114. An act to regulate the fees of the various justices of the peace of Forsyth County	114
115. An act to provide for the expenditure of certain moneys collected under and by virtue of chapter 573, Public-Local Laws of 1919.....	115
116. An act to amend chapter 502, Public-Local Laws 1921, relating to fishing in Waccamaw River, Columbus and Brunswick counties.....	116
117. An act relating to the office of treasurer of Swain County.....	116
118. An act to amend chapter 1, Public-Local Laws of North Carolina, session 1913	117
119. An act to authorize and empower the board of commissioners of Davie County to fund a floating indebtedness of said county and levy a special tax to pay the interest on bonds issued for said purpose	118
120. An act to protect game in Hyde County.....	119
121. An act to amend section 3401 of the Consolidated Statutes relative to fees for seizure of stills in Nash County.....	120
122. An act regulating fees to be charged in Cumberland County.....	120
123. An act to validate the appointment of certain members of the board of education of Ashe County.....	121
124. An act to amend chapter 528, Public-Local Laws, regular session of 1921, relating to construction and maintenance of a system of public roads in Wilkes County.....	121

CHAP.	PAGE
125. An act to provide for better protection of plats or maps to be filed in the office of register of deeds of Davidson County.....	122
126. An act to amend chapter 467 of the Public-Local Laws of 1919, and chapter 38 of the Public-Local Laws of 1921, relative to the public roads of Ashe County.....	123
127. An act to authorize the board of county commissioners of Cherokee County to levy a special tax for the pay of jurors and for the support of the county home and county jail.....	125
128. An act to regulate the fees of the justice of peace in Yadkin County....	126
129. An act to amend section 9, chapter 170, of the Public-Local Laws of 1921, relative to authorizing the commissioners of Alexander County to borrow money for the construction and improvement of public roads and bridges.....	126
130. An act to authorize and empower the board of county commissioners of Forsyth County to issue \$800,000 in bonds for the purpose of repairing and constructing hard-surface roads in the county of Forsyth	127
131. An act to repeal chapter 258 of the Public Laws of 1921, being an act to amend Public-Local Laws of 1917, chapter 414, relative to buying and selling quail in Mecklenburg County, and to reenact the original provisions of chapter 414, Public-Local Laws of 1917.....	129
132. An act to regulate hunting and to protect game birds, wild fowls, rabbits, squirrels, opossums, and fur-bearing animals in Yadkin County	129
133. An act pertaining to the capture and seizure of stills and the operators thereof, in Wake County.....	131
134. An act prohibiting the sale of wild turkeys in Chatham and Lee counties	132
135. An act to amend chapter 320 of the Laws of North Carolina of 1883, relating to "the better drainage of the lowlands of Reedy Fork and Horsepen creeks, in Guilford County," etc.....	132
136. An act to amend section 1564 of the Consolidated Statutes, relating to the pay of the recorder of Cherokee County.....	133
137. An act to amend chapter 58 of the Public-Local Laws of 1921, relative to the finance committee of Ashe County.....	133
138. An act to protect fish in the Ocona-Luffy River in Swain County.....	134
139. An act to amend the game laws relating to the close season on quail or partridges in Beaufort County.....	135
140. An act to amend chapter 692 of the Public-Local Laws of 1913, relating to the recorder's court of Mount Airy in Surry County.....	136
141. An act to promote the work of the welfare and home and farm demonstration agencies of Onslow County.....	136
142. An act to provide for the working of convicts in Dry Wells Township, Nash County, on public works or in other road districts.....	137
143. An act to submit to a vote the question of salaries of officers of Franklin County	137
144. An act to amend chapter 107, Public-Local Laws of 1921, relating to the fees for the capture of illicit distilleries in Lee County.....	138

CHAP.	PAGE
145. An act to regulate the catching and killing of fish in the waters of Richmond County	138
146. An act to amend sections 7 of chapter 77 and chapter 116 of the Public Laws of 1919, relative to the expenditure of the dog tax fund, said amendments to apply to Ashe County only.....	139
147. An act to amend chapter 285 of the Public Laws of 1901, as amended by chapter 85, Public-Local Laws, extra session 1920, relating to the salary of the treasurer of Mecklenburg County.....	139
148. An act to authorize the constable of Number Eight Township, Craven County, to serve all process anywhere within Craven County.....	140
149. An act to amend chapter 513, Public-Local Laws of regular session of 1921, relative to protection of deer in Harnett County.....	140
150. An act to amend chapter 7 and chapter 420 of the Public-Local Laws of 1921, pertaining to recorders' courts in Robeson County.....	141
151. An act to appoint a cotton weigher for the township of Fairmont, Robeson County	141
152. An act to prevent the use of fish traps and other devices in Cumberland County	142
153. An act to permit the county of Durham to make an appropriation to erect a marker at the Bennett Place in said county.....	143
154. An act to authorize the county commissioners of Surry County to borrow money for road purposes.....	143
155. An act to amend chapter 226, Public-Local Laws, extra session 1913, relating to the salary of the recorder for Currituck County.....	144
156. An act to protect game and fish in Jackson County.....	144
157. An act to protect the fish in the waters of Keels Creek and Currituck Bay in Hertford and Bertie counties.....	146
158. An act to amend chapter 563 of the Public-Local Laws of North Carolina, regular session of 1921, relative to salaries of county officers in Buncombe County.....	146
159. An act to regulate the fees for serving State warrants, civil summonses, and subpœnas for Haywood County.....	147
160. An act to regulate the fees to be charged by the sheriff and deputies in Lee County.....	147
161. An act to authorize the commissioners of Jackson County to levy special taxes to meet the general indebtedness, and for other purposes	149
162. An act to allow the commissioners of Avery County to abolish the office of county treasurer.....	150
163. An act to authorize the commissioners of Mecklenburg County to borrow money in anticipation of the sale of bonds authorized under the provisions of chapter 331 of the Public-Local Laws, session 1921..	150
164. An act to amend chapter 563 of the Public-Local Laws of 1921, relating to the salaries of county officers of Buncombe County.....	151
165. An act for the relief of the clerk of the Superior Court for Mecklenburg County	151

CHAP.	PAGE
166. An act to amend chapter 123 of the Public-Local Laws of 1921, entitled "An act to regulate fees of the sheriff of Mitchell County for capturing illicit distilleries and men engaged in the manufacture of liquor, and to regulate the sale of bitters and extracts containing alcohol for beverage purposes, and for other purposes," so as to include Avery County.....	152
167. An act relating to the leaving of trees, trash, sawdust, or fish hedges in Rockfish Creek, and obstructing said creek in any way and by any means in Duplin and Pender counties.....	153
168. An act to amend chapter 266 of the Public-Local Laws of 1921, in regard to the protection of game in Currituck County.....	153
169. An act providing for the establishment of planning commissions in the cities and towns of North Carolina, and prescribing the powers and duties of such commission.....	154
170. An act to amend chapter 457, Public-Local Laws 1919, relating to the collection and disbursement of drainage taxes in the county of Beaufort	157
171. An act to amend the charter of the Aurora Graded School District.....	157
172. An act to authorize the board of county commissioners of Bertie County to issue bonds to fund floating indebtedness.....	158
173. An act to authorize the issue of refunding bonds in Caswell County, and the levy of a special tax to retire same.....	159
174. An act to amend chapter 46 of the Public-Local Laws of North Carolina, session of 1917, with reference to the county deposit law of Robeson County	161
175. An act providing for the establishment of the Mecklenburg County General Hospital	161
176. An act to abolish the road district in Cooper's Township, Nash County	168
177. An act to authorize the Tyrrell County road commission to pay and discharge certain indebtedness out of funds at their disposal.....	168
178. An act to promote the building and repairing of schoolhouses in the county of Johnston.....	169
179. An act to authorize Swain County to issue jail bonds.....	171
180. An act to amend chapter 176, Public-Local Laws of 1911, relating to the recorder's court of Nash County.....	172
181. An act validating certain courthouse bonds of Stanly County.....	173
182. An act to allow the commissioners of Hertford County to appropriate any surplus in their hands to pay for bridge construction in said county	174
183. An act to amend and unify the public road laws of Caswell County and affecting the expenditure of the proceeds of certain road tax levies	175
184. An act relative to selling quail in Gaston County.....	177
185. An act to regulate the procedure and to cure defects in practice before clerk of Superior Court in matters pertaining to organization of drainage districts.....	177

CHAP.	PAGE
186. An act to establish a statutory form of a deed of trust for New Hanover County	178
187. An act to authorize Wake County to issue bonds.....	183
188. An act to validate the issue of certain road bonds of Watauga County, and to authorize sale of same.....	184
189. An act to repeal chapter 569 of the Public Laws of North Carolina, session 1903, entitled "An act to provide for better roads in Morven Township, Anson County," and for the repeal of acts amendatory thereto, and to restore to the commissioners of Anson County jurisdiction over the public highways of said township.....	185
190. An act to amend chapter 262 of the Public-Local Laws of 1921, relating to the roads of Graham County.....	186
191. An act to authorize the board of commissioners of Caldwell County to issue bonds for the purpose of providing a county home for said county	187
192. An act to authorize Northampton County to issue road and bridge bonds and to provide for the payment thereof.....	188
193. An act relating to public roads and bridges in Northampton County....	191
194. An act to provide a new highway commission for Wayne County and to provide funds for road building.....	198
195. An act to amend chapter 356, Public-Local Laws 1921, and to provide an alternative for the railroad extension therein provided for.....	207
196. An act to amend chapter 581, Public-Local Laws 1915, respecting the power of the board of education of Robeson County to borrow money	208
197. An act to amend chapter 149 of the Public-Local Laws of the extra session of 1920, being an act relating to expenses of county officers of Wayne County.....	209
198. An act to abolish self-perpetuating school boards or committees in certain school districts in Alamance County.....	209
199. An act to protect game and regulate hunting in Bladen County.....	210
200. An act to amend chapter 467 of the Public-Local Laws of 1921, authorizing the construction, equipment and maintenance of a fire-proof hospital by the board of county commissioners of Haywood County, North Carolina.....	211
201. An act to authorize the board of commissioners of Carteret County to issue bonds to fund the floating indebtedness and for road and bridge improvements	213
202. An act to validate the issue of certain bonds of Wilkes County.....	214
203. An act to amend chapter 50 of the Public Laws of 1921, so as to exempt Hog Island and Cedar Island in Carteret County from the operation of the stock law.....	215
204. An act to amend chapter 50, Public Laws 1921, relating to Onslow County	215
205. An act to authorize the county commissioners of Robeson County to fix the compensation of the deputy clerk of the Superior Court.....	216
206. An act to prohibit the hunting of deer with dogs in Caswell County....	216

CHAP.	PAGE
207. An act to provide for a better system of accounts and bonds of the treasurer of the public road funds of the various townships of Stokes County	216
208. An act to authorize the board of county commissioners of Bladen County to issue bonds for the purpose of building a free or toll bridge across the Cape Fear River, with suitable approaches, and to build a highway to the Sampson County line.....	218
209. An act for the relief of the tax collector and treasurer of Henderson County	220
210. An act to amend chapter 551, Public-Local Laws, session 1919, relating to pay of justices of the peace.....	221
211. An act to make it a felony to have in possession, within Durham County, a deadly weapon, to wit, a pistol, shotgun, or rifle, while illegally engaged in the transportation or the manufacture, within Durham County, of intoxicating liquors.....	222
212. An act to amend chapter 94, Consolidated Statutes, relating to the collection of assessment of drainage districts.....	222
213. An act to protect game in Burke County.....	223
214. An act to allow officers of Lee and Chatham counties to make arrests in either county.....	225
215. An act to amend chapter 575, Public-Local Laws of 1921, relating to the width of the right of way of certain roads in Columbus County..	226
216. An act to amend article S, chapter 94, of the Consolidated Statutes of North Carolina, entitled "Drainage".....	226
217. An act to repeal chapter 197, Public-Local Laws 1921, relating to the number of county commissioners of Columbus County.....	227
218. An act requiring the auditing of the books and accounts of the highway commission of Murphy Township, Cherokee County.....	228
219. An act to amend chapter 323 of the Public-Local Laws, session of the General Assembly of North Carolina 1921, the same being entitled "An act to provide for the construction and maintenance of the roads of Macon County and to authorize bond issue and special taxes therefor".....	229
220. An act to place the chairman of the board of commissioners of Swain County on a salary.....	232
221. An act to fix the hunting season for quail and squirrel in Granville County	233
222. An act to amend chapter 142, Public-Local Laws of North Carolina, session 1921, relating to the fees of the sheriff of Madison County....	233
223. An act to amend chapter 578, section 1, of the Public-Local Laws of 1921, relating to the fees of sheriff.....	234
224. An act for the protection of the public roads of Moore County, North Carolina	234
225. An act to require retail dealers in pistol cartridges to keep a record of names of all purchases and dates of purchases.....	235
226. An act authorizing the board of county commissioners of Stokes County to levy a special tax for paying interest on floating indebtedness	236

CHAP.	PAGE
227. An act to authorize the appointment of a game warden for Wittenburg Township, Alexander County.....	236
228. An act to amend chapter 320 of the Public-Local Laws of 1919, relating to sales on Sunday in Forsyth County.....	237
229. An act to provide for the reporting of deaths to the coroner of New Hanover County, where there has been no medical attendance, or where there is reason to believe the death was the result of an unlawful act or negligence, and further to define the authority and duties of the coroner of New Hanover County in certain cases.....	237
230. An act to amend chapter 128, Public-Local Laws 1921, relating to bond issue and special tax for roads in Clay County.....	238
231. An act to amend chapter 326, Public-Local Laws 1921, relating to the public roads of Mitchell County, and to validate the issue of certain road bonds for Mitchell County.....	239
232. An act to amend chapter 180 of the Public Laws of North Carolina, session of 1907, relative to recorder's and justice's courts of Pasquotank County	240
233. An act to amend the law with regard to dog tax in Watauga County so that the proceeds of said tax shall be paid to the school fund.....	240
234. An act empowering the county commissioners of Wake County to levy a road tax.....	241
235. An act to amend chapter 730, Public-Local Laws of 1919, to the permanent improvement of the public roads of Catawba County.....	241
236. An act to amend section 5473 of the Consolidated Statutes of North Carolina, redistricting school districts.....	242
237. An act to amend chapter 185, Public-Local Laws of regular session of 1921, relating to fishing in Black River, Mingo Creek, and Stony Run in Sampson County, Cumberland and Harnett counties.....	243
238. An act to authorize and empower the board of commissioners of Richmond County to refund the floating road indebtedness of the county	243
239. An act to repeal certain bond measures heretofore passed for Wake County	244
240. An act to authorize the commissioners of Burke County to levy a special tax for the support of the poor.....	245
241. An act to validate tax levy for county home purposes in Chatham County	245
242. An act to authorize the board of county commissioners of Carteret County to levy a special tax.....	246
243. An act to authorize the board of county commissioners of Halifax County to build a new county home for the aged and infirm, to issue bonds to obtain funds for said purpose, and to sell the present county home farm and purchase another, if the board in its discretion shall deem such sale and purchase for the best interest of the county	246
244. An act to amend the Caldwell County game law.....	248
245. An act to fix the compensation of the sheriff of Anson County for the collection of taxes.....	248

CHAP.	PAGE
246. An act to amend an act ratified December 19, 1921, the same being Senate Bill 67 and House Bill 541, known as the planning board bill, so as to include Wake County in its provisions.....	249
247. An act to amend chapter 435, Public-Local Laws 1913, relating to the salary of the treasurer of Catawba County.....	249
248. An act to amend chapter 122, Public Laws 1913, increasing interest rates on Bailey Township road district bonds.....	250
249. An act to provide schedule of fees to be collected by the clerk of the Superior Court in Lee County.....	250
250. An act to authorize the commissioners of the county of Martin to place certain officers on salaries.....	251



PUBLIC-LOCAL LAWS

OF THE

STATE OF NORTH CAROLINA

EXTRA SESSION 1921

CHAPTER 1

AN ACT TO AMEND CHAPTER 38 OF THE PUBLIC LAWS OF 1921, KNOWN AS THE MACHINERY ACT, AS RELATED TO UNION COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter thirty-eight of the Public Laws of nineteen hundred and twenty-one be and the same is hereby amended by adding in line thirteen, under section eighty-three, after the word "officer," the following: "*Provided, however, that the register of deeds of Union County shall not be required to make out the tax receipts for the sheriff.*"

Proviso: tax receipts.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 2

AN ACT TO AUTHORIZE THE COUNTY BOARDS OF CASWELL COUNTY TO REVIEW VALUATION OF REAL ESTATE.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Caswell County and the county board of appraisers and review for Caswell County, heretofore appointed under chapter eighty-four, Public Laws nineteen hundred and nineteen (any vacancy which may have occurred to be filled by appointment of the board of county commissioners of Caswell County), shall meet jointly in said county on the first Tuesday after the first Monday in April, nineteen hundred and twenty-two, as a county board of review, to determine if the value of real property as heretofore appraised

Meeting of county commissioners and county appraisers as board of review.

Vacancies to be filled.

Date of meeting.

Determination of values.

Chairman and
secretary.

Inquiry into
values.

Report to State
Tax Commission.

Values reported to
be assessed, value.

Proviso: limi-
tation.

and assessed in the said county as a whole is less than the fair value of such property at the time of the meeting of such board. The chairman of the board of county commissioners shall be the chairman of the county board of review as thus constituted, and the clerk of the board of county commissioners shall be the secretary of the said board. The said board shall make proper inquiry and investigation into the existing value of real property as compared with the assessed and appraised values thereof in the several cities, towns, and townships of the county; and if it shall find that the assessed value of such property is less than the actual value, it shall find the average percentage of such difference in the county as a whole, or in the several cities, towns, and townships, and shall report its findings so made to the State Tax Commission not later than the twentieth day of April, nineteen hundred and twenty-two. The values so reported shall be the values at which the property shall be assessed for taxation unless and until the same have been changed and revised by the State Tax Commission and certified to the board of county commissioners of said county, which shall be done not later than the first day of July, nineteen hundred and twenty-two: *Provided*, that the values so reported to the said State Tax Commission under the provisions of this section shall not be in excess of the values fixed in said county prior to the reduction of said values in said county under the authority of section twenty-eight-A, chapter thirty-eight, Public Laws nineteen hundred and twenty-one.

Sec. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 3

AN ACT TO AMEND SECTION 101, CHAPTER 38 OF THE PUBLIC LAWS OF NORTH CAROLINA, 1921, RELATIVE TO COMMISSION ALLOWED SHERIFF OF WAKE COUNTY FOR THE COLLECTION OF TAXES.

The General Assembly of North Carolina do enact:

Proviso: allow-
ances for county
and special taxes.

SECTION 1. That section one hundred and one, chapter thirty-eight of the Public Laws of North Carolina, one thousand nine hundred and twenty-one, be amended by adding at the end of line forty-seven: "*Provided further*, that the sheriff of Wake County shall be allowed four per cent on all county and special taxes collected."

Repealing clause.

Sec. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Sec. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 4

AN ACT FOR THE WORKING, IMPROVING, AND REPAIRING
THE PUBLIC ROADS IN HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners or the road com-	Special road tax.
missioner of Haywood County shall, in order to properly repair	
and improve the public roads of Haywood County, at their regular	
annual meeting in June, one thousand nine hundred and twenty-	
one, and at each regular annual meeting thereafter, and it is	
hereby made their duty to levy a special tax on all property sub-	
ject to taxation under the State law in said county of not less than	
fifteen cents nor greater than twenty-two cents on the one hundred	Rate.
dollars worth of property, said taxes to be collected as other taxes	Collection.
are, to be kept separate on the tax books of the county, and to be	Specific
set aside as a special road fund to be used in the properly repair-	appropriation.
ing and improving said public roads, culverts, and bridges of the	
county of Haywood, and the purchase of such implements, teams,	
wagons, and camp outfit, if found necessary, in the proper carrying	
on of this work; and they shall, on the first Monday in January of	Employment of
each year, employ a good practical road man of experience and	superintendent.
judgment as county superintendent of roads, which superintendent	
shall have general supervision over all the roads of Haywood	Supervision of
County, and shall have control and direction of the trustees and	roads.
overseers of the roads of Haywood County and the several town-	Control and direc-
ships of Haywood County. It shall be the duty of said superin-	tion of trustees
tendent to examine and supervise the roads monthly, and to give	and overseers.
instruction to the trustees and overseers, and if said trustees or	Monthly
overseers fail to work properly or to keep up their section of the	inspections.
roads or to carry out properly the instructions of said superin-	Instructions.
tendent, it shall be the duty of said superintendent to remove said	Removal of trus-
trustees or overseers and appoint others to take their places. The	tees or overseers.
said road superintendent shall receive in compensation of his	
services such sum as the board of county commissioners shall	Salary.
determine, not in excess of twelve hundred dollars per year. The	
said road superintendent may be removed and a successor re-	Superintendent
electd by the board of county commissioners at any time. The	subject to removal.
said road superintendent shall not be a member of the board of	
county commissioners.	Not to be county
	commissioner.
SEC. 2. That the board of county commissioners or road com-	Road districts.
missioners shall, at their regular meeting in April, one thousand	
nine hundred and twenty-one, and annually thereafter, divide all	
the roads of Haywood County into road sections and appoint a	
road trustee in each precinct or township, whose duty it shall be	Appointment of
to, immediately after they have been notified of their appointment,	road trustees.

Special road tax.

Rate.

Collection.

Specific appropriation.

Employment of
superintendent.

Supervision of
roads.

Control and direction of trustees and overseers.

Monthly inspections.

Instructions.

Removal of trustees or overseers.

Salary.

Superintendent
subject to removal.

Not to be county
commissioner.

Road districts.

Appointment of road trustees.

Inventory of roads.	proceed to make an accurate inventory of all road mileage and the condition of said roads, bridges, etc., in their precinct or township,
Road hands.	also the names of all able-bodied male persons in said precinct or township between the ages of eighteen and forty-five years
Semiannual inventories.	now liable for road work, and the inventory every six months thereafter to be sworn to and returned to the clerk of the board of
Record of inventories.	commissioners of said county, and said clerk shall make and safely keep a duplicate record of all inventories filed by the road trustees
Division of roads.	of the various precincts or townships, and the same kept on file in the office of the county commissioners; and further, said trustee
Appointment of overseers.	shall, with the advice of the county commissioners or the commissioner of roads, divide the roads into sections according to their importance and appoint overseers for the various sections, who
Warning to hands.	shall as often as the roads need work or repair warn out such hands that have not paid their road tax and work them for two
Day's work.	days at a time, giving them two days notice of the time and place to meet and what kind of tools to bring. It shall be the duty of
Pay of trustees.	the overseer to work the road hands nine hours per day; the trustees to receive the sum of two dollars and fifty cents per day
Pay of overseers.	while on duty; and the road overseer shall also receive the same after he has worked his five days on the roads if subject to road
Trustees to visit roads.	duty. The township trustees shall visit each section of road not less than three times a year, and meet the county commissioners
Dates for reports.	or road commissioner on the second Monday in April, August, and December, and make a report of the condition of their roads.
Receipts.	SEC. 3. That the county commissioners or road commissioner shall have prepared and furnished the township or precinct trustees receipt books to be used in giving receipts for the free labor
Commutation.	work, also to those who may pay for their road duties in lieu of work. It shall be the duty of the trustees or road overseers to collect from those who wish to pay, instead of work, the sum of
Road duty.	six dollars per annum or work five days each year on the public roads of the county.
Daily commutation.	SEC. 4. That all able-bodied male persons of the county between the ages of eighteen and forty-five, except residents of incorporated cities and towns, shall work upon the public roads of said county in their respective townships or precincts five days of nine
Annual commutation.	hours each after having been legally notified by the overseer of such section of road, or, in lieu of the five days work, said person so liable may pay to the road overseer or any other person legally
Proviso: emergency work.	authorized by the county commissioners or road commissioner to receive the same, the sum of one dollar and a half per day for each day he is warned to work said road, and shall be receipted for the same by the overseer or trustee or may pay the sum of six dollars and receive a receipt for road duty for the entire year: <i>Provided</i> ,
	any person or persons may be worked two extra days in case of

building new roads or widening, relocating, or otherwise improving old roads or bridges, or washouts, or one dollar and a half per day instead. Said work to be done in any part of the township or precinct. Any person who shall willfully refuse to pay the sum of six dollars or integral parts thereof, or shall refuse to perform the work, shall be deemed guilty of a misdemeanor, and upon conviction in any court having jurisdiction shall be fined not less than five dollars nor more than twenty-five dollars for each and every offense or imprisoned at the discretion of the court. That all moneys collected in lieu of work on roads shall be receipted for when collected, and such receipt kept for settlement; and further, those entrusted with the collection shall keep in a book furnished for that purpose the names of those from whom collected and the amount, and shall turn all moneys over to the treasurer of Haywood County and take his receipt, and shall make, under oath, a report to the county commissioners or road commissioner of Haywood County of all moneys collected in lieu of road duty and from whom collected, the amount, the day and date of collection; and the county commissioners shall publish a sworn statement of all collections of money instead of work on roads in some county paper, or post at the courthouse door the names of those from whom collected; said report shall be made semianually on the first week in April and October. The treasurer shall keep all road moneys collected in lieu of work separate from other road funds to the credit of the township or precinct where it was collected, and it shall be paid out by vouchers on the county treasurer issued by the county commissioners. That in order that the roads of the county may be kept in good repair, the township may, by the consent and approval of the county commissioners or road commissioner, employ labor, teams, or tools, or may contract, after giving due notice of the time and place of letting. He shall keep a pay-roll and turn it in to the commissioners or road commissioner, whose duty it shall be to give voucher on the treasurer stating the township to be charged to. And in order that the roads may be protected, it shall be unlawful for any person to use or cause to be used or operate over the roads of Haywood County any truck, machine, engine, tractor or trailer, and the county engineer or other road-governing body is hereby authorized to prohibit the operation of such machines when in their judgment the same is damaging the roads or bridges of said county, or are a danger to the traveling public. Any person violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than five dollars nor more than twenty-five dollars for each and every offense, or imprisoned in the discretion of the court: *Provided further*, in addition to the above penalty any

Location of work.
Misdemeanor.

Punishment.

Commutations
receipted for.

Record and settle-
ment of commuta-
tion money.

Sworn reports.

Publication of
reports.

Application of
commutation
money.

Townships may
employ labor or
let roads to
contract.

Pay-roll.

Vouchers.

Use of certain ma-
chines prohibited.

Violations of act
misdemeanors.

Punishment.

Liability for
damage.

person who has violated the above act to the detriment of the roads shall be liable to the county for any damage.

Roads to be
classified.

Classification.

Definitions:
State highways.

County highways.

Community roads.

Cartways.

Proviso: change
or discontinuance
of cartways.

Procedure for
laying off cart-
ways.

SEC. 5. That the county commissioners or road commissioner, at their regular meeting in April, one thousand nine hundred and twenty-one, and annually thereafter as necessary, shall classify all the roads in Haywood County into four classes, as follows, to wit: (one) State highway; (two) county highways; (three) community roads; (four) cartways. That for the purpose of this act the roads designated as State highways are to be the roads now designated or as may hereafter become accepted by the State Highway Commission as part or parts of a State highway system of roads. The roads designated as county highways are the roads of next greatest importance in the county on account of location and extent of traffic, and may be established regardless of boundaries, and shall be kept in good state of repair by contract. They shall be of uniform grade and not less than sixteen feet in width in rock and twenty-five feet in dirt, and as far as possible shall be surfaced roads. Community roads are, for the purposes of this act, considered of lesser importance, and may be sixteen or twenty-five feet in width, according to local conditions and extent of travel, and may be repaired by either contract, free labor, or both, in the discretion of the board of commissioners or the road commissioner. Cartways, as defined in this act, must be kept in repair by the parties using the same, and shall be laid off, whenever practicable, fourteen feet in width: *Provided*, that they may be changed, discontinued, or extended within the discretion of the county commissioners or road commissioner, where due cause for such change has been shown by the parties interested. Any person desiring a cartway opened up over the lands of another person shall file his petition for the same before the board of county commissioners or road commissioner, applying for a cartway to be kept open across such other person's lands leading to some public road, and upon his making it appear to the board that the adverse party has had ten days notice of his intention, the board shall hear the allegations of the petitioner and the objections of the adverse party or parties, and, if sufficient reason be shown, shall order the sheriff or other lawful officer to summon a jury of five freeholders to view the premises and lay off a cartway not less than twelve feet wide, and assess the damage to the owner of such land that may be sustained thereby, which, with the expenses of laying out the way, shall be paid by the petitioner, and the way shall be kept for the free passage of all persons on foot or horseback, carts and wagons. Cartways in this act are intended for those who have no way to get to a public road.

Advertisement for
bids on contracts.

SEC. 6. That it shall be the duty of the board of commissioners or road commissioner of said county, and as soon as necessary

arrangements can be made and the necessary funds obtained, to advertise in one or more newspapers in said county for lowest bids offered: *Provided*, that before any contractor commences to repair or improve any road or roads in said county he must first enter into a written contract with the board of commissioners or the road commissioner to repair or improve, as the case may be, all such roads bid off in the way and manner as may be designated by a competent engineer furnished by said board of commissioners.

Proviso: written contracts.

SEC. 7. That the board of commissioners of Haywood County, or the road commissioner, in order to expedite the repairing and improving the roads of said county, may have the right, if within their judgment it may become necessary or advisable, to borrow such fund or funds for road purposes, not to exceed two-thirds of the levy as set forth in this act in any one year, and the rate of interest on such loans shall not exceed six per centum per annum.

Power to borrow money.

Limit of amount.
Interest on loans.

SEC. 8. That for the purpose of keeping in a good state of repair the roads of Haywood County the board of commissioners, or road commissioner, may set aside annually, if within their judgment they deem it necessary, twenty per cent of the total road funds of said county, together with all moneys derived in lieu of free labor, for the purpose of keeping in good repair the roads as may be designated by the board of commissioners or the road commissioner and as classified in section five.

Maintenance fund.

SEC. 9. That for the purpose of carrying out the provisions of this act any contractor or superintendent of any road or roads of said county is hereby authorized to enter upon any lands near to or adjoining such road or roads, to cut and carry timber, except trees or groves on improved lands planted or left for ornament or shade, to dig or cause to be dug and carried away any gravel, sand, or stone which may be necessary to construct, improve, or repair said road, and to enter on any lands adjoining or lying near the road in order to make such drain or ditches through the same as he or they may deem necessary for the betterment of said road, doing as little injury to said lands as the nature of the case and the public good will permit; and persons claiming damages for the same shall not commence action for the same until three months after said road or roads have been repaired and improved. Any and all damages sustained by reason of carrying off timber, gravel, et cetera, shall be paid out of the general fund.

Entry on land for material.

Drains or ditches.

Actions on claims for damages.

SEC. 10. That it shall be unlawful for any person or persons to fill up or obstruct any ditch or drain that has been constructed for the benefit of said roads.

Obstructing drains forbidden.

SEC. 11. That the county treasurer shall keep a separate account of the road fund of the county and of his disbursements of the same, and he shall make a written report thereof to the board of county commissioners or road commissioner at their regular

Accounts of road fund.

Monthly reports.

Semiannual
statements.

meetings on the first Monday in each month; and on the first Monday of July and January of each and every year he shall present to the said board of commissioners, or road commissioner, a written report giving a statement of the disbursements from the general road funds during the preceding six months, which reports or the substance thereof shall be published by said commissioners or road commissioner in at least one newspaper published at the county-seat at least one insertion.

Reports
published.

Right to lay out
and change roads.

SEC. 12. That the commissioners or road commissioner of said county may have the right to lay out or make such changes in any of the public roads of said county where and whenever deemed necessary.

Repealing clause.

SEC. 13. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 14. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 5

AN ACT TO AMEND CHAPTER 184, PRIVATE LAWS 1921, AND CHAPTER 426, PUBLIC-LOCAL LAWS 1921, RELATING TO INDIAN SCHOOLS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

Additional
trustees.

SECTION 1. That in addition to the trustees named in chapter one hundred eighty-four, Private Laws of one thousand nine hundred and twenty-one, G. G. Locklear and E. Lowrie are hereby appointed trustees of the Indian Normal School, located at Pembroke in Robeson County, North Carolina, who shall serve until their successors are appointed and qualified.

Rights of appli-
cants for admis-
sion.

SEC. 2. That the trustees of the Indian Normal School at Pembroke, Robeson County, North Carolina, are hereby given full power and authority to pass upon the right of applicants for admission to said schools as pupils; and since it frequently occurs that applicants desire to be admitted as such pupils who have been nonresidents of North Carolina, but have, prior to such application, become residents of North Carolina, the said board of trustees are fully empowered in their discretion to refuse admission to any such person who desires to become a pupil in said institution, when such applicant, and his or her family, have not heretofore been accepted as Indians by legislative act of the State from which such applicants removed to North Carolina.

Applicants under
change of resi-
dence.

Powers extended.

SEC. 3. That the powers given to the trustees of the Indian Normal School at Pembroke, North Carolina, in section two hereof

are hereby given to the committee named in section three, chapter four hundred and twenty-six, Public-Local Laws of North Carolina, one thousand nine hundred and twenty-one.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 8th day of December, A.D. 1921.

CHAPTER 6

AN ACT TO AMEND CHAPTER 447 OF THE PUBLIC-LOCAL LAWS OF 1921. BEING AN ACT TO CREATE DUPLIN COUNTY HIGHWAY COMMISSION.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and forty-seven of the Public-Local Laws of the session of one thousand nine hundred and twenty-one, being An act to create a highway commission for Duplin County, be and the same is hereby amended in the following respects:

1. Strike out sections twenty, twenty-one and twenty-two of the said act. Act amended.
Election and number of commissioners.

2. Strike out the words "last Thursday in January, April, July and October," in section twenty-six of the said act, and insert in lieu thereof the words "second Monday of each month." Monthly meetings.

SEC. 3. Strike out the period at the end of section thirty-one, and insert a semicolon in its place, and insert after said semicolon the following words: *Provided further*, that the several boards of supervisors shall meet at the regular times as provided by law of the State, when the act was passed creating the highway commission of Duplin County, assign the hands to the public roads of the county, and said hands shall work on the said public roads of Duplin County under the same laws, rules, and penalties as was in force in Duplin County immediately prior to the establishment of said highway commission: *Provided*, that said highway commission may at any time by order withdraw any road that they deem necessary from the supervision and work of the supervisors and road hands, by an order entered upon their minutes, and the supervisors shall thereupon assign such hands to some other public road in their respective townships. Supervisors and free labor.
Proviso: withdrawal of roads from supervisors.

SEC. 2. That the power and authority vested in the county commissioners of Duplin County by section three thousand seven hundred and fifty-one, Consolidated Statutes, so far as Duplin County is concerned is hereby vested, exclusively in the Duplin County Highway Commission, who shall exercise the same in as full and complete a manner as the board of commissioners of Duplin County have heretofore had a right to do. Powers vested in highway commission.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 10th day of December, A.D. 1921.

CHAPTER 7

AN ACT TO AMEND CHAPTER 347 OF THE PUBLIC-LOCAL LAWS OF THE SESSION OF 1921.

The General Assembly of North Carolina do enact:

That chapter three hundred forty-seven of the Public-Local Laws of the session of one thousand nine hundred and twenty-one be amended as follows:

Pay of chairman.

Pay of secretary.

Distribution of road fund.

SECTION 1. That all after the word "Provided" in line eighteen of section four (4) on page four hundred thirty-three be stricken out and repealed, and the following substituted therefor: "The chairman of said board of road commissioners shall receive in addition thereto an annual salary of twenty-five dollars and the secretary of said board shall receive an annual salary to be fixed by said board of road commissioners, which shall not exceed the sum of two hundred dollars."

SEC. 2. That the colon in line twenty-nine (29) of section twenty-four (24) on page four hundred forty, be changed to a period, and that all of said section after said period or colon be stricken out and repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 10th day of December, A.D. 1921.

CHAPTER 8

AN ACT TO PREVENT PUBLIC DRUNKENNESS IN AVERY COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Drunkenness and disorderly conduct forbidden.
Misdemeanor.
Punishment.

SECTION 1. That it shall be unlawful for any person to be drunk and disorderly in any public place or on any public road or street in Avery County, North Carolina; any person or persons convicted of the violation hereof shall be guilty of a misdemeanor, and shall be fined not less than thirty dollars nor more than fifty dollars or imprisoned not less than twenty days or more than thirty days in the discretion of the court.

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 10th day of December, A.D. 1921.

CHAPTER 9

AN ACT TO AMEND CHAPTER 594, PUBLIC-LOCAL LAWS OF 1915, WHICH SAID ACT IS AN ACT TO FIX THE SALARIES FOR CERTAIN OF THE COUNTY OFFICERS OF NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all the provisions of chapter five hundred and ninety-four relating to the compensation of the register of deeds of Northampton County be and the same are hereby repealed. Law partially repealed.

SEC. 2. The register of deeds of Northampton County shall receive a salary of two thousand dollars (\$2,000.00) per annum as register of deeds as compensation, and the said register of deeds may appoint a deputy register of deeds, or may employ an assistant and such deputy or assistant shall receive a salary to be fixed by the board of commissioners of said county. Salary.
Deputy.

SEC. 3. That in addition to the salary of two thousand dollars (\$2,000.00) per annum, herein authorized to be paid the register of deeds, he shall likewise receive such additional compensation and fees by law allowed to clerks of the board of county commissioners. Compensation as clerk to commissioners.

SEC. 4. That in addition to the salary and fees above mentioned the board of county commissioners shall allow the register of deeds such compensation as in its judgment may be proper for making out the tax list of Northampton County. Compensation for making tax lists.

SEC. 5. The salaries and allowances herein provided for shall be paid by the treasurer, or if there be no treasurer, then by such bank or banks, or financial agent, in said county having in hand any funds belonging to said county, upon warrants issued by order of the board of commissioners of said county, in monthly installments. Payments.

SEC. 6. That this act and all the provisions thereof shall be in full force and effect from and after its ratification. When act effective.

SEC. 7. It is not the purpose of this act to repeal any of the provisions of chapter five hundred and ninety-four, Public-Local Laws of one thousand nine hundred and fifteen, or amendments thereto, except in so far as it relates to the compensation of the register of deeds of Northampton County, and it is expressly provided that all of said act and all of its provisions relating to Limitation of repeal.

the other officers and their salaries, duties and compensations shall be and remain as provided for in said chapter five hundred and ninety-four, Public-Local Laws of one thousand nine hundred and fifteen.

General repealing
clause.

SEC. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

Ratified this the 10th day of December, A.D. 1921.

CHAPTER 10

AN ACT TO SEPARATE THE OFFICES OF TAX COLLECTOR AND TREASURER OF HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

Offices made
separate.

SECTION 1. That the office of tax collector of Henderson County and the office of treasurer of Henderson County shall be, and they are hereby, made separate and distinct offices, and shall be held by different persons.

Election of tax
collector.

SEC. 2. At the general election in November, one thousand nine hundred and twenty-two, and biennially thereafter, a tax collector for Henderson County shall be elected as other county officers are elected in said county. Said tax collector shall give the same bonds for the collection and settlement of taxes as are required to be given by sheriffs by section three thousand nine hundred and thirty of the Consolidated Statutes, and he shall qualify and enter upon his duties on the first Monday of July following his election. He shall collect all taxes in said county which have heretofore been collectible by the official holding the joint office of tax collector and treasurer of said county, and shall have the same powers and perform the same duties and be subject to the same liabilities, in regard to the collection of taxes, costs, and penalties, as provided by law for county tax collectors or sheriffs holding the tax list; but he shall not disburse or pay out any moneys collected by him except to the treasurer of said county.

Official bonds.

Beginning of
term.

Taxes to be
collected.

Powers, duties,
and liabilities.

Payments to
treasurer only.

Settlements.

Itemized state-
ments.

SEC. 3. As often as said tax collector shall collect or have in his possession as much as two thousand dollars of county or other local funds, he shall pay same over to the treasurer of said county, and shall give said treasurer an itemized statement showing in detail the funds collected and the account for which collected; and shall take the treasurer's receipt therefor, which shall be a full and complete discharge to the tax collector for the amount so paid over by him to the said treasurer.

Salary.

Clerk hire.

SEC. 4. Said tax collector shall receive a salary of two thousand four hundred dollars per year, and an additional allowance of eight hundred dollars per year for clerk hire, which shall be in full compensation for all services rendered and all help employed

in the discharge of his duties as tax collector, and shall be in lieu of all commissions or other compensation from any source whatever. Said salary and allowance for clerk hire shall be paid to said tax collector by the county treasurer in monthly installments on the first Monday of each month.

Payment of salary.

SEC. 5. This act shall not affect the right of the present tax collector and treasurer of Henderson County to act as tax collector and collect the taxes for the rest of the term to which he was elected; but his compensation therefor and allowance for clerk hire shall be as provided in section four of this act; and upon ratification of this act, he shall relinquish the office of treasurer of said county, which shall be filled as hereinafter provided.

Tax collector continued in office.

Compensation.

To relinquish office of treasurer.

SEC. 6. At the general election in November, one thousand nine hundred and twenty-four, and quadrennially thereafter, a treasurer for Henderson County shall be elected as other county officers are elected in said county. Said treasurer shall give the bond required of county treasurers by section one thousand three hundred and eighty-eight of the Consolidated Statutes, and he shall qualify and enter upon his duties on the first Monday of December following his election, and hold the office for four years. He shall receive from the county tax collector, and from all other county officers handling public funds, all county and other local taxes, costs, and penalties, and all fines and other public moneys; and issue his receipt as county treasurer for all moneys thus paid to him, and shall keep careful and accurate account of same, and shall disburse same only upon proper and lawful warrants. He shall, *ex officio*, be treasurer of the county board of education; and, generally, shall have the powers and liabilities and perform the duties appertaining to the office of county treasurer as set forth in chapter twenty-six of the Consolidated Statutes.

Future elections for treasurer.

Official bond.

Term of office.
Moneys to be received.

Receipts.

Accounts.

Warrants.

Treasurer of board of education.

SEC. 7. The clerk of the Superior Court of said county, and all other county and local officers handling or holding funds which have heretofore been payable to the tax collector and treasurer of Henderson County, shall pay over said funds at least as often as once a month, on the first Monday of the month, to the county treasurer.

Settlements to be made monthly.

SEC. 8. Said county treasurer shall receive a salary of eighteen hundred dollars per year, which shall be in full compensation for all the duties of said office, and which shall be paid to him in monthly installments on the first Monday of each month.

Salary of treasurer.

SEC. 9. That Wiltshire Griffith is hereby appointed as treasurer of Henderson County to hold said office until his successor shall qualify after the general election in November one thousand nine hundred and twenty-four, as herein provided, and as soon as the said Wiltshire Griffith shall give the bond required by section six of this act, and take the oath required by law of county treasurers, he shall assume the duties of his office and shall receive the compensation provided in section eight of this act.

Treasurer named.

To assume duties.

Bonds in surety
companies.

Payment of
premiums.

Repealing clause.

SEC. 10. That the bonds herein required to be given by the county tax collector and the county treasurer may be made by surety companies licensed to do business in this State, and the premiums for said bonds shall be paid by the county.

SEC. 11. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 12. This act shall be in force from and after its ratification.

Ratified this the 10th day of December, A.D. 1921.

CHAPTER 11

AN ACT TO REPEAL CHAPTER 558 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATIVE TO A PUBLIC WHARF IN STRAITS TOWNSHIP, CARTERET COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter five hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby repealed.

SEC. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 10th day of December, A.D. 1921.

CHAPTER 12

AN ACT TO REPEAL CHAPTER 84 OF THE PUBLIC-LOCAL LAWS OF 1920, RELATING TO A BOND ISSUE OF NASH COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. The act entitled "An act to authorize the board of commissioners of Nash County to issue and sell one hundred and fifty thousand dollars of bonds, the proceeds of which are to be used in paying the floating indebtedness of Nash County and in constructing, building and maintaining bridges in Nash County," ratified August twenty-third, one thousand nine hundred and twenty, and constituting chapter eighty-four of the Public-Local Laws of one thousand nine hundred and twenty, extra session, is hereby repealed.

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 10th day of December, A.D. 1921.

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CHAPTER 13

AN ACT TO AMEND CHAPTER 586, PUBLIC-LOCAL LAWS OF 1919, RELATIVE TO THE ENFORCEMENT OF THE LAW AGAINST THE MANUFACTURE AND SALE OF INTOXICATING LIQUORS IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That sections one and two of chapter five hundred and eighty-six of the Public-Local Laws of one thousand nine hundred and nineteen be and the same are hereby repealed.

Allowances to officers.

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 10th day of December, A.D. 1921.

CHAPTER 14

AN ACT TO PREVENT THE DUMPING OF SAWDUST IN UPPER LITTLE RIVER AND ITS TRIBUTARIES IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons or sawmill owners to dump any sawdust in Upper Little River and Barbecue Creek or their tributaries in Harnett County.

Dumping forbidden.
Streams affected.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor and shall be fined not more than fifty dollars (\$50.00), or imprisoned not more than thirty (30) days, or both, at the discretion of the court.

Misdemeanor.
Punishment.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 12th day of December, A.D. 1921.

CHAPTER 15

AN ACT TO INCREASE THE POWERS OF THE BOARD OF COMMISSIONERS OF ROBESON COUNTY WITH RESPECT TO GAME BIRDS AND THE SEASONS FOR THE KILLING OF THE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Robeson County are hereby fully authorized and empowered to limit, regulate or abolish the open seasons for the killing and trapping of game

To limit, regulate or abolish open season.

birds of all kinds in Robeson County as in their discretion may seem best for the interest of agriculture in said county.

Effect of act.

SEC. 2. That this act shall not be construed so as to enlarge the open seasons, or other regulations and limitations now placed by general or special law on the killing or trapping of game birds in Robeson County, but shall operate as full and complete authority to said board of commissioners to limit, regulate or abolish the said open seasons, for the killing of game birds, and to prescribe such charges or license fees, and requirements, and regulations for the killing and trapping of game birds in said county, or to prohibit the same for such period or periods as may be desired by said board of commissioners.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 12th day of December, A.D. 1921.

CHAPTER 16

AN ACT TO AUTHORIZE UNION COUNTY TO ISSUE ROAD AND BRIDGE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Bond issue authorized.

Amount.

Purposes.

Special tax.

Amount.

To borrow money in anticipation of bond sales.

Notes or certificate.

SECTION 1. The board of county commissioners of Union County is hereby authorized to issue bonds of said county to an aggregate principal amount not exceeding two hundred and fifty thousand dollars, for any one or more of the following purposes, viz.: laying out, opening, altering, constructing, repairing, improving county highways in said county, and constructing, reconstructing and altering county bridges in said county, and for the purpose of paying off any valid claims against the road commission of Union County, and the completion of any contracts made by the road commission of Union County. Said board is hereby further authorized to levy annually a special tax *ad valorem* on all taxable property in Union County for the special purpose of paying principal and interest of all bonds issued under this act, as such principal and interest becomes due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.

SEC. 2. That the board of county commissioners of Union County may, from time to time by resolution, authorize the chairman of said board, together with the treasurer of the county, or such other person as the board shall authorize, to borrow money in anticipation of the sale of bonds, and to repay any money borrowed under this section, together with interest. The resolution authorizing any such loan or loans may provide for the issue

of notes or certificates of indebtedness of said county, or both, payable either on demand or at a fixed time, not more than six months from the date thereof, and bearing interest not exceeding six per cent per annum. Said notes or certificates may be sold at public or private sale or pledged as security for temporary loans as the board of county commissioners may by such resolution direct, and said loans may be renewed from time to time and paid out of the proceeds from the sale of the bonds herein provided for.

Maturity.

Interest.

Sale or pledge of notes and certificates.

Renewals.

Fund for payment.

SEC. 3. Immediately after the ratification of this act and before any bonds are issued hereunder, the clerk of the board of county commissioners of Union County shall cause to be published once a week for four successive weeks in one or more newspapers published in Union County, a notice substantially in the following form, with the blanks properly filled in, and with the name of such clerk appended to the notice, viz.:

Publication of notice.

"Notice is hereby given to the voters of Union County that, after expiration of thirty days after the first publication of this notice, the board of county commissioners of Union County will issue bonds of said county under the provisions of a special act ratified by the General Assembly on the fourteenth day of December, one thousand nine hundred and twenty-one, authorizing the issuance of not exceeding two hundred and fifty thousand dollars (\$250,000) of bonds for county highways and bridges. Notice is also given that the question of issuing bonds will not be submitted to the voters at an election, unless within said period of thirty days there shall be filed with the clerk of the board of county commissioners a petition for an election on such question, signed by at least twenty-five per cent of the registered voters of Union County, as provided in said act. This notice was first published on the.....day of....., one thousand nine hundred and twenty-one.

Notice of intention to issue bonds.

Notice of no election but on petition.

.....
Clerk to the Board of County Commissioners."

SEC. 4. If a sufficient petition shall be filed with the board of county commissioners as provided in this section, no bonds shall be issued under this act, nor any special tax levied to pay said bonds, unless and until the question of issuing such bonds shall be submitted to the voters of Union County at an election, and a majority of the voters voting on said question shall be in favor of issuing such bonds. A petition demanding that the question of issuing bonds under this act be submitted to the voters at an election may be filed with the clerk of the board of county commissioners within thirty days after the first publication of the notice aforesaid. The petition shall be in writing and signed by at least twenty-five per cent of the registered voters in the

Petition for election.

Time for filing petition.

Requisites for petition.

Verification of signatures.	county as shown by the registration books for the last preceding general election therein. The residence address of each signer shall be written after his signature. Each signature to the petition shall be verified by a statement (which may relate to a specified number of signatures), made by some adult resident freeholder of the county under oath before an officer competent to administer oaths, to the effect that the signature was made in his presence and is the genuine signature of the person whose name it purports to be. The petition need not be all on one sheet. If on more than one sheet, it shall be verified as to each sheet.
Investigation of petition.	The clerk of the board of county commissioners shall investigate the sufficiency of the petition and present it to the board of county commissioners with a certificate stating the result of his investigation. The board of county commissioners shall thereupon determine the sufficiency of the petition, and the determination of said board shall be conclusive.
Determination as to sufficiency. Determination conclusive.	<p>SEC. 5. If the board of county commissioners determine a petition filed as aforesaid to be sufficient, the board shall submit the question of issuing bonds under this act to the voters of a special election to be held as soon as may be practicable. The board of county commissioners shall fix the date for holding said election, shall name the registrars and judges of election for the voting precincts of said county, shall cause notice of said election to be given by publication at least thirty days before the election, and shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who favor the issuance of said bonds shall vote a ballot on which shall be written or printed the words, "For Road and Bridge Bonds," and the voters who are opposed to the issuance of said bonds shall vote a ballot on which shall be written or printed the words, "Against Road and Bridge Bonds." At the close of the election the votes shall be counted and returns thereof made to the board of county commissioners of Union County, for which purpose said board shall cause blank abstracts to be printed and furnished to the registrars and judges of election. On the first Thursday following the election said board of county commissioners shall meet as a canvassing board, shall receive the returns of said election, shall judicially pass upon the returns, and shall judicially determine and declare the results of said election, all of which shall be recorded in the records of said board. The returns shall be executed in duplicate, and one copy shall be delivered to the board of county commissioners as aforesaid, and the other filed with the clerk of the Superior Court of Union County. In all respects other than those herein mentioned said election shall be held and conducted and the qualifications of voters at said election determined, as nearly as may be practicable, in accordance with the general laws relating to the holding and conducting of elections for members of the General Assembly</p>
Question submitted to election.	
Date.	
Election officers.	
Notice of election.	
Printing and distribution of ballots.	
Ballots.	
Count and return of votes.	
Canvass and record of returns.	
Application of general law.	

and the determination of the qualifications of voters at such elections. The expense of holding said special election shall be paid out of the general funds of the county. If the board of county commissioners shall cause notice containing a brief statement of the result of said election as determined by the board to be published at least once in a newspaper published in Union County, no right of action or defense founded upon any validity in said election be open to question in any courts upon any ground whatever except in an action or proceeding commenced within thirty days after the first publication of said notice: *Provided, however*, that a copy of this sentence shall be incorporated in said notice. The board of county commissioners may, in its discretion, order a new registration for said special election, but such a new registration shall not be necessary unless ordered by the board.

Expense of election.
Notice of result.

Actions, validity of election.

Proviso: conditions incorporated in notice.

New registration optional.

SEC. 6. The bonds authorized by this act may be issued as one issue or two or more separate issues, and in either case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously the bonds of such issue outstanding at any one time shall mature as aforesaid.

Issuance of bonds.

Maturity.

Proportion of installments.

SEC. 7. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the board of county commissioners of Union County may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not exceeding six per centum per annum, payable semi-annually. They may be either coupon bonds or registered bonds and if issued in coupon form may be made registerable as to principal, or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Union County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Form and denominations.

Interest.

Coupon or registered bonds.

Authentication.

Delivery.

SEC. 8. Said bonds shall be sold in the manner provided in the Municipal Finance Act (chapter one hundred and thirty-eight of the Public Laws of one thousand nine hundred and seventeen,

Sale of bonds.

Sale below par
forbidden.

as amended), for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

Separate fund.

Specific appropriation.

Obligation of
purchaser divested.

SEC. 9. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

Powers additional.

SEC. 10. The powers granted by this act are granted in addition to and not in substitution for existing powers of Union County, and are subject to any limitations or restrictions contained in any other law.

Repealing clause.

SEC. 11. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 12. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 17

AN ACT TO AMEND CHAPTER 192, PUBLIC-LOCAL LAWS, 1921, RELATIVE TO SEINING IN CATAWBA RIVER, McDOWELL COUNTY.

The General Assembly of North Carolina do enact:

Fishing in
Catawba river.

SECTION 1. That section one, chapter one hundred and ninety-two, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby repealed.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 18

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF WILSON COUNTY TO ISSUE BONDS TO FUND CERTAIN FLOATING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Bond issue
authorized.

Amount.

Purpose.

Denominations.

Interest.

SECTION 1. The board of county commissioners of Wilson County are hereby authorized to issue and sell bonds of the county to an aggregate principal amount not exceeding two hundred and fifty thousand dollars (\$250,000), for the purpose of funding certain floating indebtedness of the county heretofore incurred for the necessary expenses thereof. Such bonds shall be in denominations of not less than five hundred dollars (\$500) or more than one thousand dollars (\$1,000) each, and shall bear interest at such rate of interest, not to exceed six per cent, as the said

board of commissioners may determine, and shall be signed by Authentication.
the chairman and clerk of said board of commissioners, and sealed
with the seal of the county. Such bonds may be sold by the board
of commissioners at public or private sale at not less than par.

SEC. 2. Such bonds shall be serial bonds and shall be payable Serial bonds,
as follows: Twelve thousand dollars shall be payable in each of Maturity,
the years one thousand nine hundred and twenty-two to one thou-
sand nine hundred and twenty-six, inclusive; fifteen thousand
dollars shall be payable in each of the years one thousand nine
hundred and twenty-seven to one thousand nine hundred and
thirty-one, inclusive; twenty thousand dollars shall be payable in
each of the years one thousand nine hundred and thirty-two to
one thousand nine hundred and thirty-five, inclusive, and any
remaining bonds shall be payable in the year one thousand nine
hundred and thirty-six.

SEC. 3. In order to pay the said bonds and interest thereon at Special tax.
maturity, the said board of commissioners of Wilson County shall
annually, at the time of levying other taxes, levy a sufficient
special tax on all the taxable property in the county, which spe- Specific appro-
cial tax shall be used for the purpose of paying the said bonds priation.
and interest and for no other purpose, except the costs of collec-
tion.

SEC. 4. The powers hereby conferred are additional to any Powers additional.
other powers conferred by and are not affected by any limitations
imposed by any other act, including acts already or hereafter
passed by this session of the General Assembly.

SEC. 5. This act shall be in force from and after its ratifica-
tion.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 19

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF GRANVILLE COUNTY TO EMPLOY A SPECIAL OF- FICER FOR THE ENFORCEMENT OF THE CRIMINAL LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Gran- Employment
ville County is authorized and empowered to employ a special authorized.
officer in order to secure a better enforcement of the criminal law.

SEC. 2. The said special officer shall be known as the special Official designa-
law enforcement officer of Granville County and shall have the tion.
power and authority of a deputy sheriff in all matters pertaining Power and
to criminal process issuing from the courts of Granville or any authority.
other county of the State lawfully directed to him.

Duty of special officer.

SEC. 3. It shall be the duty of the said special officer to give his entire time to the duties of his office and to diligently and faithfully devote himself to apprehending and bringing to justice violators of the criminal law and to doing any and all things necessary to secure the proper enforcement of the criminal law in Granville County.

Compensation.

SEC. 4. That the board of county commissioners are authorized to fix the compensation of the said special officer at an amount not exceeding one thousand eight hundred dollars a year, and to pay the same out of the funds of the county, and the said board of county commissioners may in their discretion pay reasonable sums for the expenses of the said officer incurred in the performance of his duty, and may provide a means of transportation for the said officer.

Payment of expenses.**Transportation.****Term of employment.**

SEC. 5. The said special officer shall be employed for such a time as the board of county commissioners of Granville County may deem advisable, and he may be removed and a successor appointed, or the office may be discontinued whenever in the opinion of the said board the interests of the public require such action.

Discontinuance of office.**Repealing clause.**

SEC. 6. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 7. That this act will be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 20

AN ACT TO AMEND SECTION 1, CHAPTER 106, PUBLIC-LOCAL LAWS OF 1913, RELATING TO AMOUNT OF BOND ISSUE FOR RAILROADS IN DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Amount of bond issue.

SECTION 1. That section one of chapter one hundred and six of the Public-Local Laws of one thousand nine hundred and thirteen, enacted by the General Assembly of North Carolina, be and the same is hereby amended by striking out the word "fifteen" in line seven of said section, and inserting in lieu thereof the word "twenty-five."

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 21

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF DUPLIN COUNTY TO ISSUE BONDS TO BUILD A JAIL
AND TO LOCATE AND CONDEMN A SITE FOR SAME.

Whereas at various terms of the Superior Court of Duplin County the grand juries have reported that the county jail was insecure and inadequate for the needs of the county, and have made recommendations that a new jail be built to meet the present and future demands of the county; and

Whereas such jail ought not to cost more than fifty thousand dollars; and

Whereas it is necessary to sell bonds to erect said jail: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Duplin County be and it is hereby authorized and directed to issue the bonds of Duplin County in an amount not exceeding fifty thousand dollars in denominations not exceeding one thousand dollars, bearing interest from the date thereof not to exceed six per cent per annum, interest payable semiannually, with interest coupons attached, the principal thereof to be payable at such time or times, not exceeding thirty years from the date thereof, and at such place or places as said board of commissioners may determine, and said board of commissioners are hereby expressly authorized to issue said bonds at different times and in different amounts, to become due at different dates, or to issue all of said bonds at one time, in different amounts, to become due at different dates, not to exceed thirty years from the date of the issuing of the same, all said bonds to be denominated "Duplin County Jail Bonds."

SEC. 2. The said bonds shall be sold according to law, and at such time or times as the said board of commissioners shall deem best, and the proceeds used exclusively for the acquisition and payment for a site upon which to erect said jail, in the town of Kenansville, North Carolina, the building and equipping of a jail upon the same, together with such appurtenances and conveniences and necessities as said board of commissioners may determine, such as sewers, lights, heat, and water and all necessary sanitary arrangements and appliances.

SEC. 3. That for the purpose of paying the interest on said bonds, and creating a sinking fund to pay the principal thereof when due, the board of commissioners of Duplin County shall levy and cause to be collected annually, as other county taxes are levied and collected, a special tax upon all subjects of taxation in Duplin County, in accordance with law, sufficient in amount to pay said interest and create a sinking fund to pay the principal of said bonds at maturity.

Reports of grand juries.

Estimate of cost.

Issue of bonds necessary.

Bonds issue authorized.

Amount.

Denominations.

Interest.

Maturity.

Issuance.

Sale of bonds.

Specific appropriation of proceeds.

Special tax.

Investment of
sinking fund.

SEC. 4. That the treasurer of Duplin County may, by the order and direction of the board of commissioners of Duplin County, invest such sinking fund from time to time, in safe securities, such as said board may designate, to be taken in the name of Duplin County, the principal and interest of same to be used to discharge said bonds when due.

Location of jail.

SEC. 5. The said board of commissioners of Duplin County are authorized to locate the said jail building upon any land in the corporate limits of the town of Kenansville, said county, and they are hereby authorized to tear down and remove the jail from its present location, and to use as a jail the building that they may erect upon the lot so located.

Condemnation of
land for site.

SEC. 6. That for the purpose of obtaining a suitable site for the location of a jail for Duplin County, the said board of commissioners for the county of Duplin is hereby authorized and empowered to enter upon any lands in the corporate limits of the town of Kenansville, said county, survey out and locate a lot of such size and shape as it may deem necessary for a site for

Notice to owners.

said jail, and cause to be issued to the owner or owners of said site a notice, to be signed by the clerk of said board, to appear before said board at a time and place to be mentioned in said notice, for the purpose of appraising the value of the site so selected by said board; said notice to be served by the sheriff of the county where said owner, or owners reside, if in the State, and if not in the State, said notice shall be served by publishing same once a week for two weeks in some newspaper published in

Date of appraisal.

Owners under
disabilities.

Duplin County, the said appraisal to be had on the first Monday of the month following the final publication of said notice; at said hearing, if any of the owners are infants, or persons of nonsane mind, then upon the service of the notice upon them in any of the ways above mentioned, all such persons shall be represented by a guardian *ad litem*, to be appointed by the clerk of the Superior Court of Duplin County, upon application made to him by any member of said board, and such guardian *ad litem* shall represent the persons for whom he was appointed at said appraisal; at such hearing, the said board of commissioners are empowered to hear the evidence as to the true value in money of the site so selected

Appraisal.

by them, and after hearing the same, they shall appraise the said site at its true value in money, and sign a written report of their proceedings, in which shall be set out a description of the site by metes and bounds, the amount of the appraisal, and to whom the same should be paid, which report shall be entered upon the minutes of the board, and a copy of the same, acknowledged by the members of the said board before the clerk of the Superior Court of Duplin County, shall be registered in the office of the register

Record of
appraisal.

of deeds of Duplin County as other conveyances of land, and the said board shall order the warrant of the treasurer of Duplin

Warrants for
payment.

County to be issued to the owner or owners of said land, for the amount so appraised by it for said land, and thereupon title to said site so appraised shall vest in Duplin County in fee simple, and upon said site the board of county commissioners of Duplin County are authorized to enter, take the same into possession, and erect a jail upon the same as provided by this act; and any person who shall obstruct, or attempt to obstruct the said board of commissioners, their agents and servants, or any one of said agents or servants, in the location of said site, or the erection of any building upon the same, shall be guilty of a misdemeanor, and fined or imprisoned in the discretion of the court.

SEC. 6. That any person whose land has been taken as aforesaid may appeal from the decision of said board to the next term of the Superior Court of Duplin County, as to the amount of damages awarded but on no other question, where the issue as damages shall be passed upon, as other civil actions, and the measure of damages shall be as to the true value in money of the said site, and if the party appealing fails to recover a larger amount than that awarded by the board, he shall recover no costs.

SEC. 7. The board of commissioners of Duplin County shall have a right to lay out, select and condemn, under the same rules and regulations as hereinbefore set forth, a location for sewer and water mains, and cess pools, anywhere within or without the corporate limits of the town of Kenansville, and construct and maintain the same for the use of the said jail.

SEC. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 9. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 22

AN ACT TO VALIDATE \$25,000 OF ROAD BONDS OF NUT BUSH TOWNSHIP, WARREN COUNTY, NORTH CAROLINA.

Whereas, on or about the third day of November, one thousand nine hundred and nineteen, a petition was presented to the board of commissioners of Warren County for an election to be held in Nut Bush Township, in said county, under the provisions of chapter one hundred and twenty-two, Public Laws, of one thousand nine hundred and thirteen, and amendments thereto now included in chapter seventy of the Consolidated Statutes, said election to be for the purpose of voting on the question of issuing twenty-five thousand dollars of road bonds of said township, five thousand dollars of the proceeds of which was to be used for the

Title vested.

Right of appeal.

Issues on appeal.

Measure of damages.

Costs.

Sewers and water mains.

Repealing clause.

Preamble: petition for election.

Election held.	extinguishment of debt then outstanding against said township for road work theretofore done, which said election was thereafter called and held in Nut Bush Township on the twelfth day of December, one thousand nine hundred and nineteen, and a majority of the qualified voters of said township did vote in favor
Result.	of the issuance of bonds as aforesaid, and the board of county commissioners of Warren County did thereafter advertise the said bonds for sale and sell the same: Now, therefore,
Advertisement and sale of bonds.	

The General Assembly of North Carolina do enact:

Proceedings ratified and confirmed.	SECTION 1. That all proceedings of the board of county commissioners of Warren County in calling and holding said election and in authorizing the issuance of said bonds are hereby validated, ratified and confirmed, notwithstanding the inclusion in the petition or any of said proceedings of a statement of purpose not authorized by law, to-wit, the payment of a preëxisting debt, and notwithstanding the invalidity of any such debt, and notwithstanding any insufficiency of advertisement of said bonds for sale, or any insufficiency in the publication and posting of the notices of election and registration, or any other defect whatsoever, and the said preëxisting debt of five thousand dollars, incurred for road work actually done, is likewise validated and confirmed as a debt of said township.
Defects cured.	

Bond issue authorized.	SEC. 2. That the board of county commissioners of Warren County are hereby empowered, authorized, and directed to issue bonds for and on behalf of Nut Bush Township in said county, in the amount of twenty-five thousand dollars, bearing interest at the rate of six per centum per annum, and to be otherwise according to the resolutions of the said board of commissioners at their meeting held December fifth, one thousand nine hundred and twenty-one, and the said bonds shall be issued and delivered in accordance with the said resolutions, and shall be incontestable after delivery.
Amount.	
Interest.	
Bonds incontestable.	

Special tax.	SEC. 3. The board of county commissioners of Warren County shall levy and collect a sufficient annual tax on all the taxable property and polls in said Nut Bush Township, observing the constitutional equation, for the payment of the principal and interest of the said bonds as the same shall fall due.
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Custody of proceeds.	SEC. 4. The proceeds received from the sale of the said bonds shall be turned over to the road trustees of the said Nut Bush Township, who may appropriate not exceeding five thousand dollars of same to the payment for work already done on the roads of said township, but which has not been paid for, but the purchaser and subsequent holders of the said bonds shall not be in any manner responsible for the application of the proceeds.
Appropriation.	
Obligation of purchaser divested.	

SEC. 5. This act shall be in effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 23

AN ACT TO RATIFY BRIDGE BONDS OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sale of forty-five thousand dollars five and one-half per cent bridge bonds of Bertie County, made pursuant to advertisement in the *Raleigh News and Observer* on or about October tenth and October seventeenth, one thousand nine hundred and twenty-one, calling for bids to be received for said bonds on November seventh, one thousand nine hundred and twenty-one, be and is ratified, and when said bonds shall have been duly executed, delivered and paid for, they shall constitute valid and binding obligations of said county, for the payment of the principal and interest of which there shall annually be levied a sufficient tax over and above all other taxes authorized or limited by law.

Sale ratified.

Bonds valid and binding.

Special tax.

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 24

AN ACT RELATING TO CERTAIN BONDS AND NOTES OF THE COUNTY OF LENOIR.

The General Assembly of North Carolina do enact:

SECTION 1. The following described bonds and notes, heretofore issued by the board of commissioners of the county of Lenoir, are hereby legalized and validated and made binding obligations of said county, viz.:

Bonds validated.

(a) Two hundred thousand dollars par value of Road Improvement Bonds, designated Series F, consisting of two hundred bonds of the denomination of one thousand dollars each, numbered from one to two hundred, inclusive, dated June first, one thousand nine hundred and nineteen, maturing as follows, viz.: one hundred and fifty bonds on June first, one thousand nine hundred and forty-five, and sixty bonds on June first, one thousand nine hundred and forty-six, and bearing interest at the rate of six per cent per annum, payable semiannually, which bonds recite that they are issued pursuant to an act of the General Assembly of North Carolina, entitled "An act to authorize and empower the county of Lenoir to issue bonds to construct and build the public roads of the county," ratified March sixth, one thousand nine hundred and nineteen, and pursuant to a resolu-

(a) Road improvement bonds.

tion adopted by the board of county commissioners of the county of Lenoir on July fifteenth, one thousand nine hundred and twenty-one; and

(b) Road notes.

(b) Five hundred thousand dollars par value of Road Notes, consisting of five hundred notes of the denomination of one thousand dollars each, numbered from one to five hundred, inclusive, dated August fifteenth, one thousand nine hundred and twenty-one, maturing August fifteenth, one thousand nine hundred and twenty-two, and bearing interest at the rate of six per cent per annum, payable semiannually, which notes recite that they are issued pursuant to section three thousand seven hundred and sixty-eight of the Consolidated Statutes of North Carolina, and pursuant to a resolution adopted by the board of commissioners for the county of Lenoir and by the highway commission of said county.

Acts and proceedings validated.

SEC. 2. All acts and proceedings of the county of Lenoir, or of any of its officers relating to the issuance of said bonds or notes or to the disposition or custody of the proceeds of the sale of said bonds or notes, and especially the acts and proceedings of the board of county commissioners authorizing the proceeds of the sale of said bonds or notes to be deposited with any person, firm, or corporation within or without the State, are also hereby legalized and validated. It shall be the duty of the county treasurer to carry out such requests, orders or arrangements as have been or may hereafter be made by said board relating to the deposit of the proceeds of said bonds or notes heretofore issued, or to be hereafter issued, relating to the deposit of such proceeds and he shall not be held responsible for such proceeds while they remain deposited pursuant to such requests, orders, or arrangements, whether said deposits may have been heretofore or may be hereafter made.

Deposit of proceeds.

Special tax.

SEC. 3. The board of county commissioners of the county of Lenoir is hereby authorized to levy annually special taxes *ad valorem* on all taxable property in said county for the special purpose of paying the principal and interest of said bonds and notes as said principal and interest fall due, which taxes shall be in an amount sufficient for said purpose and in addition to all other taxes authorized by law to be levied in said county.

SEC. 4. No limitation prescribed by any general or special act upon the amount of bonds which a county may issue shall prevent the issuance of bonds of the county of Lenoir authorized by chapter three hundred and ninety-one of the Public-Local Laws of one thousand nine hundred and nineteen, entitled "An act to authorize and empower the county of Lenoir to issue bonds to construct and build the public roads of the county," ratified March sixth, one thousand nine hundred and nineteen. The board of commissioners of the county of Lenoir is hereby authorized to issue so many of the bonds authorized by said act ratified March

Further issues authorized.

sixth, one thousand nine hundred and nineteen, as have not yet been issued, viz.: Five hundred thousand dollars par value of bonds, Series F, maturing as follows, viz.: eighty thousand dollars of bonds on June first, one thousand nine hundred and forty-six, and one hundred and forty thousand dollars of bonds on June first in each of the years one thousand nine hundred and forty-seven to one thousand nine hundred and forty-nine inclusive. The said board of county commissioners shall levy a sufficient annual tax to pay said bonds as provided in said act. The said board of county commissioners is also hereby authorized to use the whole or any part of the proceeds of the sale of said bonds for the purpose of paying the principal and interest of the five hundred thousand dollars par value of notes described in the first section of this act.

Special tax.

Use of proceeds of bonds.

SEC. 5. Nothing in this act shall be construed as affecting the power of the county of Lenoir to issue any bonds or notes other than the bonds and notes herein specifically referred to.

Other bond and note issues.

SEC. 6. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 7. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 25

AN ACT TO AMEND AND SUPPLEMENT CHAPTER 496 OF THE PUBLIC-LOCAL LAWS OF 1919, AND TO RATIFY AND VALIDATE THE ACTION OF THE COUNTY COMMISSIONERS OF NASH COUNTY IN LEVYING A TAX THEREUNDER FOR THE PUBLIC ROADS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and ninety-six of the Public-Local Laws of one thousand nine hundred and nineteen be amended by striking out the proviso to section one thereof and by inserting after the word "constituted" and as a part of said section, the following, to wit: "And said Nash County Highway Commission shall have, and it is hereby given, the right and the power to lay out, alter, construct, improve, build and maintain all through highways, or parts thereof, from the county line of Nash County to the county seat as in the judgment and discretion of said county highway commission should be built or taken over by it."

Powers of county highway commission.

SEC. 2. That section three of said chapter four hundred and ninety-six of the Public-Local Laws of one thousand nine hundred and nineteen be stricken out and the following be inserted in lieu thereof as section three of said act, to wit: "That the board of

Special road tax authorized.

Limit of rate. county commissioners is hereby authorized to levy a special tax of not to exceed thirty cents on the one hundred dollars valuation of property in Nash County, and of ninety cents on each taxable poll in said county, for the purpose of laying out, constructing, improving, and maintaining such public roads and highways in said county whether built, improved, constructed or maintained with or without State aid or Federal aid funds.

Levy for 1921 approved. SEC. 3. That said chapter four hundred and ninety-six of said Public-Local Laws be further amended by inserting after section six thereof and before section seven, to be numbered section six and one-half, the following, to wit: "That the action of the county commissioners of Nash County in levying a tax of ten cents on the one hundred dollars valuation of property and thirty cents on each taxable poll, for the year one thousand nine hundred and twenty-one, in pursuance of the provisions of said chapter four hundred and ninety-six, and for the purposes therein contained as now amended, be and the same is hereby in all respects approved, ratified and validated."

SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 26

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY TO ISSUE BONDS TO COMPLETE A COURTHOUSE AND JAIL.

The General Assembly of North Carolina do enact:

Bond issue authorized. SECTION 1. The board of county commissioners of Montgomery County is hereby authorized to issue bonds of the county to an amount not exceeding fifty thousand dollars for the purpose of completing a new courthouse and jail. The said bonds shall run for such time or times and bear interest at such rate not exceeding six per cent per annum and be sold at public or private sale on such terms as the said commissioners may determine.

Amount. Maturity and interest. SEC. 2. In order to provide for the interest on and a sinking fund for the retirement of the said bonds, the board of county commissioners is authorized to levy and collect annually a sufficient special tax on all taxable property in the county.

Special tax. SEC. 3. The powers hereby granted are in addition to and independent of the provisions of any other act general or special, including acts now or hereafter passed at the present session of the General Assembly which do not specifically refer to this act.

Powers additional. SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 27

AN ACT TO AMEND CHAPTER 248 OF THE PUBLIC-LOCAL LAWS OF 1921, REDUCING THE NUMBER OF COUNTY COMMISSIONERS OF CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter two hundred and forty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, be amended by striking out the word "five" in line four thereof and inserting the word "three," and by striking out the words "until their successors are elected and qualified" in lines eight and nine and inserting in lieu thereof the words "until the next general election."

Number of commissioners.
Term of additional commissioners.

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 28

AN ACT TO AUTHORIZE MONTGOMERY COUNTY TO ISSUE ROAD AND BRIDGE BONDS, AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Montgomery County is hereby authorized to issue at one time, or from time to time, not exceeding five hundred thousand dollars (\$500,000), road and bridge bonds of said county. The said bonds shall be in denomination of one thousand dollars (\$1,000) or less, with interest coupons attached payable semiannually at such times and places as may be directed by such board and shall be in such form and tenor and be transferable in such way and bear such rate of interest, not exceeding six per cent per annum, and be payable at such time or times not exceeding thirty (30) years from the date thereof and at such place or places as such board may determine, and such bonds may be disposed of at public or private sale as the board of commissioners may determine, notwithstanding the provisions of any other act, general or special.

Bond issue authorized.
Amount.
Denominations.
Interest.
Maturity.
Sale.

SEC. 2. The county commissioners of said county shall, in order to provide for the payment of such bonds and the interest thereon, compute and levy each year at the time of levying other county taxes a sufficient special tax upon all real and personal property in the said county to pay the interest on the said bonds and shall also levy a sufficient special tax to create a sinking fund to provide for the payment of the said bonds at maturity. Such tax

Special taxes.
Levy and collection.

shall be levied and collected annually and under the same laws and regulations as shall be in force for levying and collecting other county taxes.

Authentication.

SEC. 3. Said bonds shall be signed by the chairman of the board of county commissioners and shall be attested by the clerk of said board and the seal of the county affixed thereto, and the coupons thereto attached shall bear the printed, lithographed, or etched facsimile signature of the clerk of said board.

Special tax for maintenance.

SEC. 4. The county commissioners of said county shall, in order to provide for the maintenance of the roads and bridges improved with the proceeds of the sale of said bonds, levy each year a special tax at the time of levying other taxes upon all real and personal property in said county, of not less than one per centum nor more than five per centum of the face value of the bonds issued hereunder. Such tax shall be levied and collected annually and under the same laws and regulations as shall be in force for levying and collecting other county taxes.

Rate.

Levy and collection.

Exoneration of townships.

SEC. 5. It being the intent of this act to make the improvement of roads within the county of Montgomery a county movement instead of a township movement, provisions shall be made by the board of commissioners, if it shall take advantage of this act, for relieving any and all townships within the county of the burden of paying for accounts incurred, or of paying the principal and interest of outstanding obligations of such township for road and bridge improvement construction and repair, including contracts for such repair, construction and improvement, before any

Findings as to obligations of townships.

bonds are issued under this act. To that end the board of commissioners shall by resolution make a finding of facts, which finding shall be final, of the amount of notes and other obligations or of open accounts issued or incurred on behalf of each township for the repair, construction, or improvement of the roads and bridges within such townships. The said resolution shall

Debt of county to townships.

declare that a debt of the county is incurred in favor of each of said townships in the aggregate principal sum of said townships' obligations or indebtedness. Such county debt on behalf of the

Evidence of debt.

townships shall be evidenced by said resolution and by a record thereof to be made by the register of deeds of the county as a part of the record of indebtedness of the county, but no other evidence of such indebtedness shall be given nor shall the same be negotiable.

Debt not negotiable.

Appropriation for payment of debt to townships.

SEC. 6. There shall be reserved from the amount received from the sale of the bonds herein authorized an amount equal to the indebtedness of the county to the several townships as recited in the above mentioned resolution, and such amount shall be used only for the payment of such township debt, but the purchaser of such bonds shall in no way be responsible for the application of the proceeds derived from the sale of said bonds, but such

Obligation of purchaser divested. Reservation omitted.

reservation of proceeds may be omitted if bonds hereby authorized remain unissued of a face value equaling or exceeding the amount of such indebtedness of the county to the several townships. The proceeds from the balance of the bonds authorized hereby shall be used solely for the repair, improvement and construction of roads and bridges within the said county.

Specific appropriation.

SEC. 7. The powers hereby conferred are in addition to all other powers conferred by law, and bonds may be issued hereunder notwithstanding any other law, general or special, heretofore enacted or hereafter enacted at this session, except any laws expressly referring to this act.

Powers additional.

SEC. 8. All laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Repealing clause.

SEC. 9. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 29

AN ACT TO AMEND SECTION 2116 OF THE CONSOLIDATED STATUTES, RELATING TO THE GAME LAWS OF PAMLICO COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand one hundred and sixteen of the Consolidated Statutes be and the same is hereby amended by striking from said section, after the word "Pamlico" the following words "February fourteen to December one," and inserting in lieu thereof the following words "February fourteen to November fifteen."

Close season for quail.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 30

AN ACT TO AMEND CHAPTER 126, PUBLIC-LOCAL LAWS, SESSION 1915, RELATING TO THE HIGHWAY COMMISSION OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty-six, Public-Local Laws one thousand nine hundred and fifteen, be and the

3—Public-Local

Division of road money.

same is hereby amended by striking out all after the word "necessary," in lines twenty-seven and twenty-eight, section eight, thereof.

Proviso: use of
convict force.

Proviso: convicts
assigned by judge.

SEC. 2. That chapter one hundred and twenty-six, Public-Local Laws, one thousand nine hundred and fifteen, be and the same is hereby amended by adding at the end of section twenty-one, the following: *Provided further*, that if, for any cause, it may be desired to suspend or abolish the convict force, the Pasquotank Highway Commission is hereby authorized to hire out, for road, street or sidewalk work only, all, or any part of, the present convict force, or such convicts as hereafter may be assigned to work on the public roads of said county, and upon such terms as to it may seem just and reasonable: *Provided further*, that if it shall be deemed advisable to abolish the said convict force, application may be made to any judge of the Superior Court, holding courts of the First Judicial District, or the resident judge thereof, and it shall be lawful for such judge to assign such convicts, all, or any number thereof, now assigned, or hereafter to be assigned, to any other county or to the State Prison, to be worked upon the public roads for the unexpired term or sentence of such convict: *Provided further*, that all convicts sentenced by the trial justice of Pasquotank County may be assigned, transferred or hired out, in like manner.

Work in Elizabeth
City.

SEC. 3. The highway commission of Pasquotank County is hereby and expressly required, if said convict force is not suspended or abolished, to permit the entire convict force, and all equipment belonging to said commission, to work, upon the streets or sidewalks of the town of Elizabeth City without any cost or charge to said city, for at least one month in each year, under the direction of the governing board of said town.

Repealing clause.

SEC. 4. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 5. That this act shall be in full force and effect from its ratification.

Ratified this the 14th day of December. A.D. 1921.

CHAPTER 31

AN ACT TO AMEND CHAPTER 323, PUBLIC-LOCAL LAWS, 1921, AND TO AUTHORIZE THE ISSUE OF BONDS FOR THE PAYMENT OF ROAD DEBT OF MACON COUNTY.

The General Assembly of North Carolina do enact:

Bond issue.

SECTION 1. That section twelve, chapter three hundred and twenty-three, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from

lines thirteen and fourteen the words "ten thousand dollars (\$10,000)" and inserting in lieu thereof the words "twenty thousand dollars (\$20,000)."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 32

AN ACT TO AMEND SECTION 2, CHAPTER 174, OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE HUNTING OF FOXES IN ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and seventy-four of the Public-Local Laws of one thousand nine hundred and twenty-one be and the same is hereby amended by striking out in line three the words "first day of March" and inserting in lieu thereof the words "fifteenth day of February." Close season.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 33

AN ACT TO PREVENT THE KILLING OF QUAIL IN WITTENBURG TOWNSHIP IN THE COUNTY OF ALEXANDER.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person to hunt, trap or in any way kill or destroy any quail, partridges in Wittenburg Township in the county of Alexander during any season of the year for a period of five years. Close season.

SEC. 2. That any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall be fined not more than fifty dollars, or imprisoned not more than thirty days, or both in the discretion of the court. Misdemeanor.

SEC. 3. That all laws and clauses of laws in conflict with any of the provisions of this act are hereby repealed. Repealing clause.

SEC. 4. That this act shall be in full force and effect from and after the first day of January, one thousand nine hundred and twenty-two. When act effective.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 34

AN ACT RELATING TO THE FEES OF THE CLERK SUPERIOR COURT OF CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That in lieu of the fees named in section three thousand nine hundred and three of the Consolidated Statutes the following shall be the fees of the clerk Superior Court of Chowan County for the work enumerated herein:

Probating and
recording wills.
Probating chattel
mortgages.
Probating deeds
and mortgages.
Cross-indexing
probates.
Services to court.

(a) For probating and recording all wills, five dollars.

(b) For probating chattel mortgages, fifteen cents.

(c) For probating deeds and mortgages, forty cents for the first signature and twenty-five cents for each signature thereafter.

(d) For cross-indexing all probates, ten cents.

(e) For services, writing up minutes, etc., for each term of court, twenty-five dollars, to be paid by the county commissioners.

Bills of cost.

(f) On all bills of cost, both civil and criminal, an increase of twenty-five per cent, same to be added to the bill of cost to be paid by the party adjudged to pay said bill of cost.

Letters of
administration.

(g) Issuing letters of administration and letters testamentary the sum of three dollars.

Commission on
fines and penal-
ties.

(h) On all fines and penalties paid to him by virtue of his office either as clerk of recorder's court or as clerk Superior Court, five per cent commissions.

Services not
enumerated.

SEC. 2. This shall not be construed as preventing the collection of the regular fees enumerated in section three thousand nine hundred and three, Consolidated Statutes, for the duties not enumerated above.

Repealing clause.

SEC. 3. All laws in conflict with this act are hereby repealed.

Application of act.

SEC. 4. This act shall only apply to Chowan County.

SEC. 5. This act shall be in force from and after its ratification. Ratified this the 15th day of December, A.D. 1921.

CHAPTER 35

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CLEVELAND COUNTY TO APPOINT A TAX AUDITOR FOR THE COUNTY OF CLEVELAND.

The General Assembly of North Carolina do enact:

Appointment
authorized.

SECTION 1. That the board of commissioners of Cleveland County, in their discretion, may, on the first Monday in April, one thousand nine hundred and twenty-two, and annually thereafter, appoint or elect a competent, discreet person, capable of discharging the duties hereinafter set forth, as tax auditor for the county of Cleveland and fix the compensation to be allowed said tax

Compensation

auditor, and said board of commissioners may likewise fill any vacancies in said position caused by resignation or otherwise. Vacancies.

SEC. 2. Said person so appointed as tax auditor for the county of Cleveland may be the same person as shall be appointed county supervisor by the board of commissioners of Cleveland County on the first Monday in April in each year, or may be a different person, as said board of commissioners may deem most advisable. County supervisor may be appointed.

SEC. 3. Said tax auditor so appointed shall discharge all the duties and do and perform the things required by section eighty-three, chapter thirty-eight of the Public Laws of one thousand nine hundred and twenty-one, the same being the Machinery Act, except the endorsement on the copy of the tax list by the clerk to the board of commissioners of the order to collect the taxes therein mentioned, and said endorsement shall still be made by the clerk to the board of commissioners. Duties of auditor.

SEC. 4. Said tax auditor shall prepare for the register of deeds or clerk to the board of commissioners the abstract or reports required by section eighty-five, chapter thirty-eight of the Public Laws of one thousand nine hundred and twenty-one. Abstracts and reports.

SEC. 5. It shall be the duty of said tax auditor to investigate and inquire as to all delinquent taxpayers and require all untaxed property and polls, as well as under-valued property, to be placed on the tax books for taxation at its true value and to act as accountant for the board of commissioners in their settlements with the sheriff for taxes and to do and perform such other acts, matters and things as are necessarily incident to the duties above described, or which the board of commissioners of said county of Cleveland may require and direct. Enumeration of duties.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 36

AN ACT TO REGULATE SHOOTING WILD FOWL IN THE WATERS OF DARE COUNTY, AND PROTECTION OF GAME THEREIN.

The General Assembly of North Carolina do enact:

SECTION 1. That all existing laws and clauses of laws relating to shooting wild fowl in Dare County are hereby repealed and the following is hereby enacted in lieu thereof. Existing laws repealed.

SEC. 2. The board of county commissioners of Dare County is hereby constituted a "Game Protection Commission" for said Game protection commission.

Duties. county, the duties of which shall be to supervise the protection of wild fowl and other game therein, and direct the methods of enforcing the laws relating to the same, as hereinafter provided. The register of deeds shall be clerk to the said "Game Protection Commission."

Chief game warden.

SEC. 3. To enable the said "Game Protection Commission" to properly perform the duties devolving upon the same in the enforcement of existing laws relating to shooting wild fowl in said county and such laws relating to the same as may hereinafter be enacted, the said board shall, at the regular meeting of the board of commissioners of Dare County in January, one thousand nine hundred and twenty-two, and annually thereafter, appoint a chief game warden of said county, who shall hold his office for one year from the date of qualification and until his successor shall

Term of office.

Duties.

Warden to qualify.

be appointed and qualified, whose duties it shall be to diligently enforce all the game laws of Dare County and all State laws relating to game of any nature applying to said county, who shall take and subscribe before the clerk of the Superior Court of Dare County, before entering the discharge of his duties, an oath to faithfully perform all the duties of his said office, make diligent inquiries as to violations of the laws relating to shooting of wild fowls and other game in violation of law, within the limits of said county and prosecute all violating any of said laws. He shall enter into a good and sufficient bond to be approved by the board of commissioners of said county, in the sum of five hundred dollars, for the faithful performance of his said duties and shall make monthly reports in writing to the "Game Protection Commission" of the manner in which he has performed his duties, as above set forth.

Official bond.

Monthly reports.

Deputy game wardens.

SEC. 4. If deemed advisable by the said "Game Protection Commission," the said commission may from time to time appoint such deputy game wardens for such sections or townships in said county as may be deemed necessary for the better enforcement of the laws relating to shooting or taking wild fowl and other game in said county, said deputy wardens to hold their office at the pleasure of the "Game Protection Commission" and to perform their duties in the localities designated by the same. Said deputy game wardens shall take and subscribe the oath prescribed for the chief game wardens, and shall execute a good and sufficient bond in the sum of one hundred dollars, to be approved by the board of county commissioners for the faithful performance of their duties, and shall make reports of the manner in which same have been performed monthly, to the "Game Protection Commission."

Term of office.

Assignment of duties.

Deputies to qualify and give bond.

Reports.

License for non-residents.

SEC. 5. Any nonresident of North Carolina who desires to shoot or trap wild fowl or other game in Dare County shall make application to the clerk of the Superior Court of said county for license therefor before engaging in shooting or trapping, and shall

pay a license tax of ten dollars, with fifty cents additional fees to the clerk for issuing said license. All licenses issued by the clerk shall expire at the termination of the hunting season for which issued. Such licenses shall be in such form as the "Game Protection Commission" shall prescribe and shall authorize the holder thereof to hunt only in Dare County in the manner and under conditions regulating hunting or shooting in said county. Such license shall not authorize the holder thereof to shoot wild fowl afloat, except as hereinafter provided: *Provided*, any resident of Atlantic Township in Dare County may be licensed by the clerk of the Superior Court of Currituck County, as now provided by law to take nonresident hunters on that portion of Currituck Sound, south of a line and extending due west to the main land of Currituck County. Said line being a continuation of a line defining the northern boundary of Atlantic Township, Dare County, as established by E. R. Johnson and B. G. Crisp, commissioners appointed for said purpose. And any resident of Currituck County may be licensed by the proper authority in Dare County to shoot or hunt and take out nonresident hunters on the waters of that part of Currituck Sound which formerly belonged to Currituck County, but now belonging to Dare County.

Term of license.

Form and limit of license.

Proviso: reciprocity with Currituck County.

SEC. 6. The funds received by the clerk of the Superior Court for hunting license, as herein provided, shall (other than the fifty cents for the clerk's fee) be turned over to the county treasurer, who shall place one-half of the same to the credit of the general school fund of the county, and the remainder to the credit of the "Game Protection Commission," to be paid out by order of said commission. The proceeds of said license tax placed to the credit of the "Game Protection Commission" may be used as a game protection fund for the payment of the chief game warden and the deputy game wardens appointed as herein provided to be fixed by the said "Game Protection Commission," and any residue of said fund remaining unused June thirtieth, of any year, shall be placed in the general county funds of said county.

Division of license funds.

Use of game protection fund.

SEC. 7. It shall be unlawful for any nonresident of the State of North Carolina to shoot wild fowl afloat in any of the waters of Dare County, as the boundary lines of said county now exist, except from a boat, box, float or battery owned by a resident of said county, and upon which said resident shall have procured from the clerk of the Superior Court of Dare County a license permitting said owner to use the same in providing facilities for nonresidents of the State to shoot wild fowl afloat, and no nonresident of the State who has not first obtained individual license from the clerk of the Superior Court of Dare County, as above provided, shall be permitted to use such box, boat, float, or battery for shooting wild fowl in the waters of said county.

Shooting afloat.

SEC. 8. Upon each boat, box, float or battery used by a resident for providing facilities for shooting wild fowl by non-

License tax for boats, boxes, floats, or batteries.

residents of the State, as provided in the preceding section, such residents shall pay an annual license tax of five dollars, license to be issued by the clerk of the Superior Court of said county, and an additional fee of fifty cents to the said clerk for issuing said license.

Application of act. SEC. 9. The provisions of this act shall apply to all the territory within the boundaries of Dare County as now constituted.

Violation of act a misdemeanor. SEC. 10. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be

Punishment. fined for first offense not less than ten nor more than fifty dollars, or imprisoned not more than thirty days, and for each subsequent offense shall be fined or imprisoned in the discretion of the court.

Repealing clause. SEC. 11. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 12. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 37

AN ACT TO REPEAL CHAPTER 419, PUBLIC-LOCAL LAWS, 1917, AND TO AUTHORIZE THE TRUSTEES OF THE TEACHERS' RETIREMENT FUND OF GUILFORD COUNTY TO MAKE FINAL SETTLEMENT WITH THE ACTIVE MEMBERS OF THE ASSOCIATION.

The General Assembly of North Carolina do enact:

Preamble: authority for creation of fund. That whereas the General Assembly of North Carolina on the twenty-seventh day of February, one thousand nine hundred and seventeen, ratified "An act to authorize the county board of education of Guilford County to create a teachers' retirement fund," said act constituting chapter four hundred and nineteen of the Public-Local Laws of the one thousand nine hundred and seventeen session of the General Assembly of North Carolina; and

Preamble: creation of fund. That whereas the county board of education in conformity with section one of said act, by formal resolution, unanimously adopted, created a teachers' retirement fund; and

Preamble: members. That whereas at the time that the county board of education passed the formal resolution above referred to, twenty-two public school teachers of Guilford County had made formal application to become members of said association, and since that time quite a number have made formal application to become members and have been accepted by the county board of education; and

Preamble: lapsed membership. That whereas from time to time the teachers who had become members of the association have ceased to be members because they have not paid the annual dues in accordance with the

regulation of the board of trustees of said retirement fund, until now there are only eight active members; and

That whereas it does not seem advisable for the county school fund to be taxed for the benefit of only a few:

Preamble:
paucity of num-
bers.
Law repealed.

SECTION 1. That chapter four hundred and nineteen of the Public-Local Laws, session of one thousand nine hundred and seventeen, is hereby repealed.

SEC. 2. That after all amounts due said fund for the school year one thousand nine hundred and twenty and one thousand nine hundred and twenty-one are paid in by the members of the association and the county board of education, the said trustees of the teachers' retirement fund of Guilford County are hereby authorized to make such settlement as may be agreed upon between the said trustees and the active members of the association by a distribution of the funds among the members of the association, and by payment to the county board of education such amount as is not used in making a final settlement with the active members of the association; the amount so paid to the county board of education to be by it used for the advancement of public education in the county as it may see fit: *Provided*, that in the distribution of the funds among the eight active members the amount paid each shall be in proportion to the amount that each has contributed to said fund.

Settlement
authorized.

SEC. 3. That when an agreement is reached between the trustees of said fund and the members of the association, the payment of the money due each member of the association in accordance with the terms of the settlement shall constitute a release of all claims by said member upon the said fund and shall be deemed a final settlement of all claims which may have arisen under the act which was ratified on the twenty-seventh day of February, one thousand nine hundred and seventeen.

Proviso: payment
to active members.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

Release of claims.

CHAPTER 38

AN ACT TO AMEND "AN ACT TO EQUALIZE SCHOOL ADVANTAGES IN GUILFORD COUNTY, NORTH CAROLINA," SAID ACT CONSTITUTING CHAPTER 131, PUBLIC-LOCAL LAWS, SESSION OF 1921.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and thirty-one, Public-Local Laws, session of one thousand nine hundred and twenty-one, be amended by striking out in lines eighteen and

Ballots.

nineteen the words "For additional school tax" and substituting in lieu thereof the words "For abolishing all local school taxes, and adopting a county-wide equalizing tax"; and striking out in lines twenty and twenty-one the words "Against additional school tax" and substituting in lieu thereof the words "Against abolishing all local school taxes and adopting a county-wide equalizing tax."

Limit of debt.

SEC. 2. That section seven of said act be amended by striking out in line eight the words "two hundred and fifty thousand dollars" and substituting in lieu thereof "five hundred thousand dollars."

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 39

AN ACT TO PROVIDE FOR THE BETTER MAINTENANCE OF THE PUBLIC ROADS OF SCOTLAND COUNTY.

The General Assembly of North Carolina do enact:

Township road commissioners abolished. Rights, duties, and powers vested in county commissioners.

SECTION 1. That the office of township road commissioner, in each and all of the several townships of Scotland County, be and the same is hereby abolished, and all the rights, duties, obligations, powers, and authority which have heretofore been vested in and exercised by the township road commissioners of the several townships of Scotland County under and by virtue of any Public, Public-Local or Private Law, be and the same are hereby vested in the board of county commissioners of Scotland County, and from and after the ratification of this act the public roads of the several townships of Scotland County shall be worked by the board of county commissioners under the plan of the county unit instead of the plan of a township unit. It shall be the duty of the said board of county commissioners of Scotland County to exercise all the rights, powers and authority vested in said board of commissioners by this act and to perform all the duties and acts and things which have heretofore been imposed upon the township road commissioners of the several townships of Scotland County.

County commissioners to discharge duties.

Equipment to be turned over.

SEC. 2. Any and all property, machinery, tools, and equipment belonging to the several townships and being used in the building, repairing, and maintaining of public roads shall be turned over to the county commissioners and used by them in the performance of their duties under this act.

Funds to be expended in townships.

SEC. 3. That any funds now in the hands of the county treasurer belonging to the repair and maintenance fund of any township of the county shall be expended by the said commissioners upon the roads in such township. Any deficit in the repair and

Tax for deficit.

maintenance fund of any township shall be paid out of the taxes collected upon the property in such township.

SEC. 4. That at the time of the next annual levy of taxes made by the said board of county commissioners of Scotland County, it shall be the duty of said board of county commissioners to levy a special road tax in lieu of all townships' special tax for repair and maintenance of roads upon all property, both real and personal, sufficient to provide an adequate fund for repairing and maintaining the public roads of Scotland County, but such levy shall not exceed forty cents on the one hundred dollars valuation of real and personal property listed in the county, and such special tax shall be collected as other taxes of the county are collected and shall be expended by the said board of county commissioners for (a) the necessary road machinery, tools, and equipment, (b) the necessary equipment, quarters, and guards for the working of convicts on the public roads of Scotland County, (c) the employment of a county road supervisor and other necessary help and labor, and (d) in constructing, repairing and maintaining the public roads of Scotland County.

Special road tax.

Limit of rate.

Collection.

Expenditures.

SEC. 5. That all male persons confined in the county jail of Scotland County, either under a final sentence of the Superior Court or of the county criminal court for crime including the violation of any ordinance of any city or town in said county, or for the payment of any fines and costs or either one or both, and all persons sentenced from said county to prison for a period of five years or less, may be worked upon the public roads of Scotland County under the provisions of this act. The said board of commissioners shall provide for the care, custody, and safe-keeping of all such persons or convicts, and shall clothe, feed, and give medical attention to them, but nothing herein shall prevent the judge of the Superior Court or the trial justice of the county criminal court sentencing persons, who are convicted of a crime, to work upon the public roads of any other county in the State. The said county commissioners may work upon the public roads of Scotland County any male person sentenced from any other county in the State, but may, in their discretion, decline to work such persons from other counties. That persons sentenced to work upon the public roads of Scotland County shall not be made to wear stripes except as is now provided by the general law.

Convicts subject to road work.

Care and maintenance of convicts.

Sentences to work in other counties.

Convicts from other counties.

Stripes not worn.

SEC. 6. That the board of county commissioners of Scotland County shall have the power and authority to employ a county road supervisor and any other help or labor, skilled or unskilled, to buy road machinery, tools and equipment necessary for the proper repairing and maintaining of the road and shall have full power and authority to do and perform any and all acts and things which are necessary to be done and performed in properly discharging the duties and things required to be done and performed by this act.

County road supervisor.
Other help.

Equipment.

General powers.

Discontinuance of
convict work.

SEC. 7. That the said board of county commissioners of Scotland County, at any time that it shall appear to be for the best financial interest of the county, shall have the right and power to discontinue the working of convicts upon the roads of Scotland County and shall have the right to build, repair, and maintain the public roads of the county with hired labor.

Hired labor.

Obligation of
bonds preserved.

SEC. 8. That nothing in this act shall in any way affect the validity of any bonds which have heretofore been issued for the benefit of any of the several townships of the county and the said bonds shall be and remain binding obligations against the said townships for which the same were issued. That all road bonds issued at any time hereafter for the building, rebuilding, repairing or maintaining of public roads in the county shall be issued as county bonds and shall be and constitute a county obligation.

Bonds hereafter
issued.

Repealing clause.

SEC. 9. That all laws and clauses of laws in conflict with this act are hereby repealed and this act shall be in full force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 40

AN ACT TO PROTECT PHEASANTS IN RICHMOND AND MOORE COUNTIES.

The General Assembly of North Carolina do enact:

Full protection.

SECTION 1. That it shall be unlawful for any person to hunt, trap, kill, or destroy any pheasant in the counties of Richmond and Moore for three years from December first, one thousand nine hundred and twenty-one.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 41

AN ACT TO AMEND CHAPTER 137 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO RURAL POLICE OF POLK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter one hundred and thirty-seven of the Public-Local Laws of one thousand nine hundred and twenty-one, entitled "An act to provide for rural police of Polk County," be and the same is hereby amended by striking out the words "not more than two" in line five of said section, and insert-

ing after the word "drink" in line seven of said section one the words: "*Provided*, that not more than two rural policemen may be appointed from any one township." Proviso:
limitation.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 42

AN ACT TO AMEND CHAPTER 86 OF THE PUBLIC-LOCAL LAWS OF 1919, RELATIVE TO THE COUNTY HOME OF RANDOLPH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter eighty-six of the Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby amended by striking out all after the word "commissioners" in line four of said section and inserting in lieu thereof the following: "Two miles south of Asheboro, N. C., on the old plank road and to erect the buildings hereinbefore provided for on said lands." Location.

SEC. 2. That all acts of said board of commissioners in purchasing said lands and in cleaning same off and in letting the contract for said county home buildings and all work and labor done in the commencement of said county home be and the same is hereby in all respects ratified and confirmed. Acts heretofore
done validated.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 4. That this act shall be in full force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 43

AN ACT TO AMEND CHAPTER 103, PUBLIC-LOCAL LAWS, EXTRA SESSION, 1920, ENTITLED "AN ACT TO PROVIDE FOR THE IMPROVEMENT OF THE PUBLIC ROADS AND BRIDGES OF THE COUNTY OF BEAUFORT."

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and three, Public-Local Laws, extra session, one thousand nine hundred and twenty, be amended by adding at the end of section twenty-six the following: "That part of section five thousand three hundred and forty-five of the Consolidated Statutes authorizing the assessment against a county wherever any highway within the levee or drain- Laws not appli-
cable to county.

No drainage
assessment against
county.

age district shall be beneficially affected, shall not apply to the county of Beaufort, and no assessment shall be levied against said county by reason of the cutting, widening, or improving of any canal in any drainage district in said county."

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 44

AN ACT TO VALIDATE CERTAIN NOTES OF THE COUNTY OF JONES AND TO PROVIDE FOR THE PAYMENT OF SAID NOTES.

The General Assembly of North Carolina do enact:

Schedule of notes
validated.

SECTION 1. The outstanding road notes of the county of Jones heretofore issued by the board of commissioners for said county, of the aggregate principal amount of four hundred and twenty-five thousand dollars, consisting of four hundred and twenty-five notes for the sum of one thousand dollars each, numbered from one to four hundred and twenty-five, inclusive, dated November first, one thousand nine hundred and twenty-one, payable November first, one thousand nine hundred and twenty-three, bearing interest at the rate of six per cent per annum, payable semiannually, and reciting that they are issued pursuant to section three thousand seven hundred and sixty-eight of the Consolidated Statutes of North Carolina and chapter fifty-eight of the Public-Local Laws of one thousand nine hundred and twenty of North Carolina, and pursuant to a resolution adopted by the board of commissioners for the county of Jones on October seventeenth, one thousand nine hundred and twenty-one, are hereby legalized and validated and made binding obligations of the county of Jones. It is hereby determined as a fact that said notes were issued for necessary expenses of said county, namely, for the purpose of raising funds with which to defray the cost of building and rebuilding public roads and bridges in said county. All acts and proceedings of the county of Jones or of any of its officers relating to the issuance or payment of said notes or to the disposition or custody of the proceeds of the sale of said notes, including all resolutions adopted by said board of county commissioners on October thirty-first, one thousand nine hundred and twenty-one, relating to the issuance and payment of said notes, are also hereby legalized and validated.

Declared neces-
sary expense.

Renewal of notes.

SEC. 2. The board of commissioners of the county of Jones is hereby authorized to renew said notes by issuing new notes from

time to time in an aggregate principal amount not exceeding the amount of the principal and interest of the notes to be renewed. The said notes shall run for a period not exceeding four years and shall bear interest at a rate not exceeding six per cent per annum. They may either be issued in exchange for outstanding notes or sold at not less than par.

Maturity of notes.

Exchange or sale.

SEC. 3. The board of county commissioners of the county of Jones is also hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding four hundred and twenty-five thousand dollars for the purpose of paying the principal and interest of said outstanding notes or for the purpose of paying the principal and interest of any notes issued for the purpose of renewing said outstanding notes. The said bonds shall be payable not more than thirty years after their date. They shall bear interest at a rate not exceeding six per cent per annum, payable semiannually. They shall be sold at not less than their par value.

Bond issue authorized.

Amount.

Purpose.

Maturity.

Interest.

Sale below par forbidden.

SEC. 4. In addition to all other taxes authorized by law to be levied in the county of Jones, the board of Commissioners of said county is hereby authorized to levy annually a sufficient special tax *ad valorem* on all taxable property in said county for the special purpose of paying the principal and interest of the notes described in section one of this act, or for the special purpose of paying the principal and interest of any notes issued to renew said notes, or for the special purpose of paying the principal and interest of any bonds issued under section three of this act. No limitation prescribed by law upon the rate of taxes which may be levied in Jones County or upon the amount of bonds or notes which may be issued by said county shall apply to the taxes authorized by this act to be levied to the notes or bonds authorized by this act to be issued.

Special tax.

Limitation abrogated.

SEC. 5. Nothing in this act shall prevent the board of county commissioners of the county of Jones from paying the principal and interest of any notes or bonds referred to in this act by means of moneys received or to be received by the county of Jones from the State of North Carolina under contract made between the State Highway Commission of North Carolina and the county of Jones, by the terms of which contract the State of North Carolina has agreed to reimburse the county of Jones for moneys paid by said county on account of the cost of construction of roads and bridges in said county, but all moneys so received from the State of North Carolina under such a contract shall be deemed to be pledged for the payment of the principal and interest of the notes and bonds referred to in this act.

Use of payments from State authorized.

Payments from State pledged.

SEC. 6. The board of county commissioners of Jones County, the legal road-governing body of said county, shall be entitled to receive and shall be responsible for the custody and control of all funds derived from the sale of said four hundred and twenty-

Custody and control of funds.

- five thousand dollars two-year road notes and all funds which may hereafter be paid by the State in reimbursement of funds advanced pursuant to contract made by State Highway Commission and the county of Jones under date June sixth, one thousand nine hundred and twenty-one; and said board or such person or persons designated by it may deposit any part or all of said funds not requisitioned by the State Highway Commission for road construction with solvent banks, trust companies, or corporations either within or without the State, upon such securities and terms as to interest and payment as said board or its legal representatives require. All acts and proceedings heretofore done or taken by or under the direction of said board, relating to the deposit or handling of said funds, are hereby legalized and validated; and the treasurer or financial agent of said county and its bond are relieved of any duty to receive and account said funds, and shall not be held responsible in any way for the acts and proceedings of the board or its representatives heretofore or entered into with reference to said funds.
- Deposit of funds.**
- Acts validated.**
- Treasurer relieved.**
- Repealing clause.** SEC. 7. All acts and parts of acts inconsistent with this act are hereby repealed.
- SEC. 8. This act shall be in force from and after its ratification.
- Ratified this the 14th day of December, A.D. 1921.

CHAPTER 45

AN ACT TO AMEND IN RESPECT OF ROAD BONDS AND MAINTENANCE TAXES CHAPTER 53, PUBLIC-LOCAL LAWS OF 1920, ENTITLED "AN ACT TO SUPPLEMENT THE ROAD FUND OF PERSON COUNTY."

The General Assembly of North Carolina do enact:

- Act amended.** SECTION 1. That section two of chapter fifty-three, Public-Local Laws of one thousand nine hundred and twenty, entitled "An act to supplement the road fund of Person County," be amended by striking therefrom the words "and they shall be sold as municipal bonds are usually sold after due and lawful advertisement," and by inserting in lieu of the words so stricken the words, "and they shall not be sold until after advertising for sealed bids therefor on a fixed date, and the publication heretofore made in the *Roxboro Courier* and in the *Raleigh News and Observer*, of a notice calling for bids for said bonds to be received December seventeenth, one thousand nine hundred and twenty-one, is ratified as sufficient compliance with this requirement."
- Publication of advertisement.** SEC. 2. That section four of said chapter fifty-three be amended so as to read as follows:

"SEC. 4. That it shall be the duty of the Central Highway Commission upon its issuance of bonds hereunder, to certify to the clerk of the board of county commissioners of Person County, a copy of the resolution authorizing said bonds and containing a statement of the date thereof and the maturities of principal and interest, and the rate of interest, and the amount of such bonds, and it shall thereafter be the duty of the board of county commissioners in each year while any of said bonds shall be outstanding, without further certification of the Central Highway Commission, to levy upon all taxable property in Person County, over and above all other taxes authorized or limited by law, a sum sufficient to meet the interest upon said bonds as the same shall fall due and to retire the principal thereof at maturity; said board of county commissioners shall annually levy upon all taxable property within the county a tax for the maintenance of the roads under the jurisdiction of the Central Highway Commission in such amount as may be requested by the Central Highway Commission, not less than five cents nor more than twelve cents on the one hundred dollars. All of such taxes shall be collected by the sheriff or tax collector of said county and be paid over by him to the treasurer of the Central Highway Commission, and be used for no other purpose than that for which the same was levied."

Resolution issuing bonds certified to county commissioners.

County commissioners to levy tax.

Tax for maintenance.

Limit of rate.
Collection and settlement.

Specific appropriation.

SEC. 3. That section five of said chapter fifty-three be amended by striking therefrom the words "it shall be the duty of the said Central Highway Commission to provide annually for a sinking fund out of the taxes herein provided for, of at least one per centum of the entire amount of bonds issued and sold under this act," and that there shall be inserted in lieu of the words so stricken out the following words, "notwithstanding the duty of the board of county commissioners as provided by section four of this act to make an annual levy of taxes sufficient for the payment of interest and principal at maturity, without further certification of the Central Highway Commission, it shall nevertheless be the duty of such commission to see that said taxes are annually levied and collected, by mandamus if necessary, and to see that the funds so collected are conserved for the purpose of paying interest and principal as the same shall mature, or the creation of a sinking fund."

Sinking fund.

Tax levy.

Highway commission to enforce levy.

And protect fund.

SEC. 4. That section six of said chapter fifty-three be amended by adding at the end thereof the words "the treasurer of said commission shall be the custodian of the proceeds of such bonds or notes, as well as of the taxes herein provided for, and may be required by it to give bond in such sum and with such security as the commission may determine, and the premium upon such bond shall be paid by the commission."

Custodian of funds.

Official bond.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

4—Public-Local

CHAPTER 46

AN ACT TO VALIDATE A BOND ISSUE OF FORK TOWNSHIP
IN WAYNE COUNTY.

Preamble: election in favor of bonds and tax.

Whereas at a special election held in Fork Township in Wayne County, on May seventh, one thousand nine hundred and twenty-one, a majority of the qualified voters of said township voted in favor of the issuance of bonds of said township in an amount not exceeding twenty-five thousand dollars, to bear interest at the rate of six per cent per annum, payable semiannually, and to run twenty years, for the purpose of building, rebuilding, and repairing schoolhouses and furnishing the same with suitable equipment, and also voted in favor of the levying of a sufficient annual special tax on all taxable property in said township, at a rate not exceeding fifteen cents on the one hundred dollars valuation of said property for the purpose of paying the interest on said bonds and creating a sinking fund sufficient to pay the principal and interest on said bonds when they fall due, under the provisions of chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, as amended by chapters one hundred and forty-two and two hundred and eighty-five of the Public Laws of one thousand nine hundred and seventeen: Now, therefore,

The General Assembly of North Carolina do enact:

Election and proceedings validated.

SECTION 1. The said election held in Fork Township in Wayne County on May seventh, one thousand nine hundred and twenty-one, and all acts and proceedings done or taken in or about the calling, holding, or determination of the result of said election, or in or about the registration of voters for said election, are hereby legalized and validated; and the board of county commissioners of Wayne County are hereby authorized and directed to issue said bonds and to levy annually said special tax, in accordance with the proposition adopted by the voters at said election and in accordance with the provisions of chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, as amended by chapters one hundred and forty-two and two hundred and eighty-five of the Public Laws of one thousand nine hundred and seventeen (constituting sections five thousand six hundred and seventy-six to five thousand six hundred and eighty-three, inclusive, of the Consolidated Statutes); and no further election shall be necessary in order to authorize the issuance of said bonds or the levying of said taxes to pay the same.

Issue of bonds and levy of tax ordered.

Repealing clause.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.
• Ratified this the 14th day of December, A.D. 1921.

CHAPTER 47

AN ACT TO CREATE A COUNTY ROAD COMMISSION IN
CHOWAN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. There shall be and there is herewith created in Chowan County a county road commission.

County road
commissioner
created.

SEC. 2. The members of said commission and their successors shall be appointed by the board of county commissioners in the manner set forth in section three thousand six hundred fifty-eight, Consolidated Statutes of North Carolina.

Appointment of
commissioners.

SEC. 3. All road and bridge funds shall be deposited to the credit of and expended by the said road commission.

Road and bridge
funds.

SEC. 4. The road commission created and appointed under this act shall be the road and bridge-governing body, and shall have the same powers and duties as road commissions created and appointed under section three thousand six hundred fifty-eight of the Consolidated Statutes of North Carolina, and all present and future laws pertaining and applying to road commissions, created and appointed under said section three thousand six hundred fifty-eight, Consolidated Statutes, shall pertain and apply to the road commission created and appointed under this act.

Powers and duties.

SEC. 5. All acts and proceedings heretofore done or taken by persons acting as the county road commission of Chowan County are hereby ratified and confirmed.

Former acts
validated.

SEC. 6. This act shall not affect the power of the board of county commissioners of Chowan County to issue bonds under the terms of any special, private, or local act now or hereafter in force.

Power of county
commissioners.

SEC. 7. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 8. This act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 48

AN ACT TO RATIFY \$75,000 MECKLENBURG COUNTY
BRIDGE BONDS. AND TO PROVIDE FOR THE PAYMENT
OF THE PRINCIPAL AND INTEREST THEREOF BY TAXA-
TION.

The General Assembly of North Carolina do enact:

SECTION 1. That the proceedings heretofore taken by the board of county commissioners of Mecklenburg County in connection with the proposed issuance of seventy-five thousand dollars (\$75,-

Proceedings
ratified.

- 000), bonds of said county for the purpose of coöperating with York County, South Carolina, in building a bridge and approaches thereto over the Catawba River dividing said counties, except the proceedings for the advertisement and sale of said bonds, are hereby ratified, and said board of county commissioners are authorized in their discretion to reduce below six per centum per annum the rate of interest of said bonds, and to change the place of payment of principal and interest, and to extend the maturities of said bonds from the dates heretofore fixed so that said bonds shall mature in installments of five thousand dollars (\$5,000) annually, not later than the first day of October of each year from one thousand nine hundred and twenty-three to one thousand nine hundred and thirty-seven, both inclusive.
- Interest.**
- Place of payment.**
- Maturity.**
- Advertisement for sale of bonds.**
- SEC. 2. That said bonds shall not be sold until after public advertisement naming the date for the receipt of bids therefor, and such advertisement shall be deemed sufficient if published once, at least ten days before such date for receiving bids, in a newspaper published in said county and in a newspaper published at the State Capital.
- Obligations.**
- SEC. 3. That when said bonds shall have been so sold, and shall have been delivered and paid for at not less than par value, they shall constitute valid and binding obligations of said county.
- Special tax authorized.**
- SEC. 4. That a special annual tax upon all taxable property within the county, sufficient for the payment of principal and interest of said bonds, is hereby authorized, over and above all taxes authorized or limited by law.
- SEC. 5. This act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 49

AN ACT TO AUTHORIZE THE ISSUANCE OF BONDS OF RALEIGH TOWNSHIP, WAKE COUNTY, FOR SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

- School committee authorized to issue bonds of township.**
- Purpose of issue.**
- County commissioners to levy tax.**
- SECTION 1. The school committee of Raleigh Township, Wake County, is hereby authorized to issue bonds of Raleigh Township from time to time, for the purpose of erecting, enlarging, altering, and equipping school buildings, and acquiring lands for school buildings in said township, or for any one or more of said purposes; and the board of county commissioners of Wake County is hereby authorized and directed to levy annually a special tax *ad valorem* on all taxable property in said township for the purpose of paying the principal and interest on all bonds issued under

this act, as such principal and interest become due, which special tax shall be in an amount sufficient for said purpose, and shall be in addition to all other taxes authorized to be levied in said township. No bonds shall be issued under this act, however, nor shall said special tax be levied, unless and until the question of such issue and levy shall have been submitted to the qualified voters of Raleigh Township at a special election to be held for that purpose, and a majority of said voters shall have voted in favor of issuing said bonds and levying said tax, as required by section seven of Article seven of the Constitution of North Carolina.

Question of issue
to be submitted
to election.

SEC. 2. The said bonds shall be issued in the corporate name of the school committee of Raleigh Township, Wake County (which school committee was incorporated by chapter one hundred and forty-one of the laws of one thousand eight hundred and eighty-five of North Carolina). They shall be issued in such form and denominations, and with such provisions as to time, place, and medium of payment of principal and interest as the said school committee may determine, subject to the limitations and restrictions imposed by this act. The bonds shall be serial bonds, and each issue thereof shall so mature that the aggregate principal amount of the issue shall be payable in annual installments or series, beginning not more than three years after the date of the bonds of such issue, and ending not more than thirty years after such date. The said annual installments may be equal or unequal, but no installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. The bonds shall bear interest at a rate not exceeding six per cent per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable at the option of the holder as to principal, or as to both principal and interest. They shall be signed by the chairman of said school committee; and the corporate seal of said school committee shall be affixed to or impressed on each bond and attested by the secretary of said school committee, and the coupons of said bonds shall bear the printed, lithographed, engraved, or etched facsimile signature of said chairman in office at the date of said bonds. The delivery of bonds signed as aforesaid shall be valid notwithstanding any changes in office occurring after such signing.

Bonds issued in
name of school
committee.

Form and denomi-
nation.

Serial bonds.

Maturity.

Proportion of
installments.

Interest.

Coupon or
registered.

Authentication.

Delivery of bonds.

SEC. 3. The said bonds shall be sold by the said school committee in the manner provided in the Municipal Finance Act for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

Sale of bonds.

Sale below par
forbidden.

SEC. 4. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purpose for which the bonds were issued.

Separate fund.

Specific
appropriation.

SEC. 5. The taxes provided for in section one of this act shall be collected by the sheriff of Wake County and paid over by him

Collection and
settlement of tax.

Specific appropriation.

Order for special election.

Supervision of election.

Law governing election.

New registration.

Notice of election.

Question to be voted on.

Election officers.

Printing and distribution of ballots.

Ballots.

Count and return of votes.

Canvass of returns.

Publication of result.

Action as to validity.

to the treasurer of said school committee, to be applied solely to the payment of the principal and interest of said bonds.

SEC. 6. Whenever the school committee of Raleigh Township shall so request, the board of county commissioners of Wake County shall order a special election to be held in said township at such time as the said school committee may designate for the purpose of voting upon the question of issuing bonds and levying a tax under this act. Said election shall be held under the supervision of the board of county commissioners, and in all particulars, other than those specifically provided for in this act, shall be held and conducted, and the qualifications of voters at the election determined, as nearly as may be practicable in accordance with the general law relating to elections for members of the General Assembly. For said election there shall be a new registration of the qualified voters of said township. Notice of the election shall be given by publication at least twice in some newspaper published in the city of Raleigh, the first publication to be at least thirty days before the school election. The question to be voted upon shall be stated in said notice as follows: "The question of issuing not exceeding \$..... of school bonds of Raleigh Township, and levying a sufficient annual tax to pay the same." The amount stated in said question shall be such amount as the said school committee may determine and state in their petition to the said board of county commissioners. The board of county commissioners shall appoint the registrars and judges of election for said election, and shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who are in favor of the issuance of said bonds and the levying of said special annual tax shall vote a ballot on which shall be written or printed the words "For Bond Issue"; and the voters who are opposed to the issuance of said bonds and the levying of said tax shall vote a ballot on which shall be written or printed the words "Against Bond Issue." At the close of the polls the election officers shall count the votes and make returns thereof to the board of county commissioners, which board shall, as soon as practicable after the election, judicially pass upon the returns and judicially determine and declare the result of said election, which determination shall be spread upon the minutes of said board. The returns shall be made in duplicate, one copy of which shall be delivered to the board of county commissioners as aforesaid, and the other filed with the clerk of the Superior Court of Wake County. If said board of county commissioners shall cause a notice containing a brief statement of the result of the election as determined by said board to be published at least once in a newspaper published in the city of Raleigh, no right of action or defense founded upon any invalidity of said election shall be asserted, nor shall the validity of said election be opened to question in any court upon any ground whatsoever, except in

an act or proceeding commenced within thirty days after the first publication of said notice: *Provided, however*, that a copy of this sentence shall be incorporated in said notice.

Proviso:
requisite notice.

SEC. 7. Nothing in this act shall be construed as preventing more than one election and more than one bond issue under this act.

Separate elections
and bond issue.

SEC. 8. The powers granted by this act are granted in addition to and in substitution for existing powers of the school committee of Raleigh Township, and are not subject to any limitation or restriction contained in any other general, special, or local act. The school committee of Raleigh Township may issue bonds either under this act or any other act.

Powers additional.

Limitations
abrogated.

Bonds under
other acts.

SEC. 9. The total amount of bonds issued under this act, including all other bonds issued for school purposes by or on behalf of Raleigh Township or the school committee of Raleigh Township, shall not exceed five per cent of the assessed valuation of taxable property in said township.

Limit of total
debt.

SEC. 10. All acts or parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 11. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 50

AN ACT TO PUT THE SHERIFF OF CHOWAN COUNTY ON A SALARY.

The General Assembly of North Carolina do enact:

SECTION 1. The sheriff of Chowan County shall receive a salary of twenty-eight hundred dollars (\$2,800) per annum, payable monthly, in full compensation for the collection of all taxes and assessments of every description whatsoever.

Salary as tax
collector.

SEC. 2. Upon the expiration of the term of office of any sheriff he shall turn over to his successor in office the tax lists for the current year, and said successor shall be charged with the collection of all uncollected taxes and assessments for said current year, and the former sheriff shall, after turning over said lists, be relieved of responsibility for said uncollected taxes and assessments.

Tax lists turned
over to successor.

Relief.

SEC. 3. The sheriff shall receive the same fees as now provided for the sheriff, otherwise than for the collection of taxes and assessments.

Other fees.

SEC. 4. This act shall be in force and effect from and after the first day of January, one thousand nine hundred and twenty-two.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 51

AN ACT TO AMEND CHAPTER 163, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1921, PERTAINING TO THE WORKING OF THE PUBLIC ROADS OF RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That section one of chapter one hundred and sixty-three, Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting between the word "of" at the beginning of line eighty-two of said section and the word "not" the following words, to wit, "not less than five cents and."

SEC. 2. That this act shall be in full force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 52

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF MECKLENBURG COUNTY TO LEVY A SPECIAL TAX FOR THE PURPOSE OF PAYING THE FLOATING INDEBTEDNESS OF SHARON AND CHARLOTTE TOWNSHIPS.

Preamble: outstanding debts.

Whereas there is now outstanding against the fund for road construction, maintenance, and repair in Sharon Township, Mecklenburg County, a debt of one thousand five hundred dollars, and against Charlotte Township, Mecklenburg County, a debt of thirty thousand dollars, which said indebtedness was outstanding at the time the highway commission assumed control of all road work in Mecklenburg County under authority of chapter three hundred and eighty-three, Public-Local Laws one thousand nine hundred and twenty-one; and

Preamble: floating debt.

Whereas said outstanding indebtedness is now carried as a floating indebtedness against the road fund for each of said townships; and

Preamble: special tax necessary.

Whereas, to provide for the payment of said indebtedness it is necessary to levy a special tax on all of the taxable property in each of said townships: Now, therefore,

The General Assembly of North Carolina do enact:

County commissioners to levy tax.

SECTION 1. That the board of commissioners of Mecklenburg County, in order to provide for the payment of the indebtedness now outstanding against the fund for road construction, maintenance, and repair in the following townships: Sharon Township, one thousand five hundred dollars and accrued interest; Charlotte

Township, thirty thousand dollars, and accrued interest, are hereby authorized, empowered, and directed to compute and levy, in addition to all other taxes now levied, a special tax, *ad valorem*, upon all taxable property in each of said townships of an amount sufficient to pay the indebtedness of each of said townships.

SEC. 2. That special tax shall be collected as all other taxes and paid over to the county treasurer, who shall disburse the same for the purpose for which it is levied, and none other.

Collection and settlement of tax.
Specific appropriation.
Limitation.

SEC. 3. That the special tax authorized to be levied by this act shall be levied only for the year one thousand nine hundred and twenty-two.

SEC. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 53

AN ACT TO AUTHORIZE CUMBERLAND COUNTY COMMISSIONERS TO LEVY SCHOOL TAX TO CORRECT AN ERROR.

Whereas, by a clerical error, the tax books of Cumberland County for nineteen hundred and nineteen failed to carry forward for collection a ten-cent tax for school purposes, which had been properly levied by the commissioners, and which would have developed fourteen thousand five hundred dollars; and

Preamble: failure to collect levy.

Amount of deficit.

Whereas the commissioners and the county board of education desire that this levy be made and collected for nineteen hundred and twenty-two, nineteen hundred and twenty-three, and nineteen hundred and twenty-four, to pay the indebtedness incurred to cover this shortage: Now, therefore.

Preamble: tax to cover shortage.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of Cumberland County are hereby authorized and directed to levy a sufficient tax for nineteen hundred and twenty-two, nineteen hundred and twenty-three, and nineteen hundred and twenty-four, to raise seventeen thousand one hundred and ten dollars to cover the said amount, and interest thereon, the said levy to be divided between and made in the years nineteen hundred and twenty-two, nineteen hundred and twenty-three, and nineteen hundred and twenty-four, and paid over, upon collection by the sheriff of Cumberland County, to the treasurer of the Cumberland County school fund.

Tax levies directed.

Years.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 54

AN ACT TO AUTHORIZE AND EMPOWER THE COUNTY OF WILSON TO ISSUE BONDS TO CONSTRUCT AND BUILD THE PUBLIC ROADS OF THE COUNTY.

The General Assembly of North Carolina do enact:

Purpose of bond issue.

Bond issue directed.

Amount.

Authentication.

Denomination.

Interest.

Place of payment.

Bonds coupon or registered.

Valid delivery.

Special tax.

Amount.

Funds kept separate.

Specific appropriation.

Date of bonds.

Official entitlement.

SECTION 1. That for the purpose of building and constructing its public roads, highways, and thoroughfares of durable material and in permanent manner, the county of Wilson, by and through its board of county commissioners, is hereby authorized, empowered, and directed to issue, in the manner hereinafter prescribed, its bonds to an amount not exceeding two million dollars (\$2,000,000), which said bonds shall be of the form and tenor prescribed by the board of commissioners of said county; shall be printed, engraved, or lithographed, and executed on behalf of said county by the signing by the chairman of said board of commissioners, and by the register of deeds of said county, who shall attach thereto the seal of the county.

SEC. 2. The said bonds shall be issued in such denominations, shall bear interest at such rates not exceeding six per cent per annum, payable in equal semiannual amounts, and shall be made payable, both as to principal and interest, at such place or places as the said board of county commissioners may determine. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest; and the coupons of said bonds shall bear a lithographed or engraved facsimile signature of the chairman of the board. The delivery of bonds executed as in this act prescribed, by officers in office at the time of such signing and execution, shall be valid notwithstanding any change in officers occurring after such signing.

SEC. 3. The board of commissioners of said county is hereby authorized, empowered, and directed to levy annually, when other county taxes are levied, a special tax *ad valorem* upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest becomes due, which tax shall be in amount sufficient for said purpose, and shall be in addition to all other taxes authorized to be levied by said board; and the said taxes, when collected, shall be kept separate and apart from all other taxes, and shall be used only for the purposes for which they were collected.

SEC. 4. The said bonds shall be dated the first day of June or the first day of December, payable in not less than five nor more than twenty-five years from the date of issue; the number payable in any one year to be determined by the board of county commissioners as they are issued, and shall be known and designated as "Wilson County Highway Bonds."

SEC. 5. For the purpose of ascertaining the will of the voters of Wilson County upon the question of issuing the bonds authorized in this act, and the approval of the provisions thereof, an election shall be held at all the voting precincts in said county on the third Tuesday of April, one thousand nine hundred twenty-two, it being the eighteenth day of April. At said election all voters of Wilson County qualified to vote at said election may vote a written or printed ticket. Those who favor the purposes of this act shall vote a ticket with the words "For Road Improvement Bonds" written or printed thereon, and those who oppose the purposes of this act shall vote a ticket with the words "Against Road Improvement Bonds" written or printed thereon; and if a majority of the votes cast at said election shall be "For Road Improvement Bonds" and the result shall be so declared, then the bonds authorized in this act shall be issued and all the provisions of this act shall be in full force and effect. The said election shall be held in the manner provided by law for the election of members of the General Assembly, except as in this act is otherwise provided. It shall be the duty of the chairman of the board of elections to give notice of said election by notices printed in the newspapers of said county in three issues, and by printed notices posted in at least three places in each voting precinct in said county, stating the day the registration books shall be open, the day the registration shall close, the day of the election, and the purpose of the election, and shall see that the registrars of the several voting precincts in the county are provided in due time with the registration and poll books of their respective precincts; shall cause to be printed and distributed to the registrars a sufficient number of tickets both for and against road improvement bonds, and shall provide the registrar of each precinct with at least three blank forms for the returns of said election. All the expenses incurred under this act by the chairman of the county board of elections shall be paid by the board of county commissioners upon an itemized statement duly verified by him. In the event the election shall result in favor of the issuance of the bonds, then the expenses incurred in holding the election shall be repaid to the county from the proceeds of the first issue of the bonds when sold. The registration books for said election shall be open on the sixth day of March at eight thirty in the morning and remain open each day (Sundays excepted) from eight thirty a.m. to six thirty p.m. until the first day of April, one thousand nine hundred twenty-two, both inclusive. On each Saturday between said days each registrar shall attend at his polling place for the registration of voters; and shall also attend with the pollholders at the polling place, on Saturday the eighth day of April, one thousand nine hundred twenty-two, for the challenge and hearing of the same, of any persons registered whose right to vote shall be challenged. The registrars and pollholders shall be those now holding such positions, and the

Election on bond issue.

Date for election.

Tickets.

Effect of election.

Law governing election.

Notice of election.

Registration.

Printing and distribution of tickets.

Forms for returns.

Election expenses.

Time for registration.

Challenge day.

Election officers.

Vacancies.

Count and return of votes.	chairman of the board of elections is authorized to fill any vacancies occurring and from time to time as they occur. Immediately upon the close of the election the votes cast at each precinct shall be counted and the number cast for and against road improvement bonds shall be ascertained, and three abstracts thereof shall be filled in and signed by the registrar and judges of election, one of which shall be delivered on or before Thursday, April twentieth, one thousand nine hundred and twenty-two, at eleven o'clock, to the chairman of the board of elections, another to the register of deeds of the county of Wilson, with the registration and poll books, and third posted, upon finishing the count, at the polling place.
Messengers.	The registrars and pollholders shall select one of their number to transmit the returns to the chairman of the board of elections and the register of deeds. The registrars and pollholders shall receive the same compensation as now fixed by law for their services, to be paid by the board of county commissioners.
Pay of election officers.	
Canvass of returns.	SEC. 6. It shall be the duty of the board of elections of the county of Wilson to meet in the courthouse of said county on Thursday the twentieth day of April, one thousand nine hundred and twenty-two, at twelve o'clock of the day, and duly canvass the returns made of said election, and judicially declare and determine the result thereof, and shall certify the result to the board of county commissioners as soon as same is determined, and post a copy of their canvass at the courthouse in said county, and if it shall be declared and determined that the majority of the votes cast at said election have been cast "For Road Improvement Bonds," then it shall be the duty of the board of commissioners to issue the bonds and levy the tax in this act provided, and all the provisions of this act shall be in full force and effect.
Certificates of result.	
Effect of result.	
Highway commission created and incorporated.	SEC. 7. If a majority of the votes cast at the election in this act authorized to be held shall be for road improvement bonds, then, in order to expend the proceeds of the sale of the bonds by this act authorized to be issued, the highway commission of Wilson County is hereby created and declared to be a body corporate with power to have a common seal, to sue and be sued, and to exercise the powers and do and perform the things herein authorized.
Corporate powers.	The said highway commission shall be composed of three citizens and taxpayers of said county, and shall be elected in the following manner: The board of county commissioners, on the first Monday of May, one thousand nine hundred and twenty-two, at their regular monthly meeting, shall choose from each of the several townships in Wilson County at least one representative, and in all townships having a population of more than three thousand and less than six thousand they shall choose an additional representative, and one additional representative from each township for each additional three thousand inhabitants, as shown by the United States census of one thousand nine hundred and twenty, and in such townships whose population shall exceed three thou-
Constitution of commission.	
Elections for commissioners.	

sand or multiple thereof by fifty per cent, a representative shall be chosen as if the population were three thousand. The names of such persons so chosen shall be entered upon the minutes of the board of county commissioners. The clerk of the board of county commissioners shall immediately notify each and every representative so chosen, and they shall meet at the courthouse in Wilson on a date to be named by the county commissioners on the first Monday in May, which shall not be later than the ninth day of May, one thousand nine hundred and twenty-two. Such representatives so chosen shall organize by electing one of their number chairman and another secretary. They shall immediately proceed by ballot to elect the highway commission as herein provided for by a majority ballot. If a majority of the persons so chosen shall not be present, those who are present shall adjourn to a day fixed, which shall be not later than five days, and cause their secretary to notify the representatives to be present at the day named, and they shall continue so to meet until a majority do meet. The persons chosen by such representatives shall constitute the highway commission, and shall be notified by the secretary of the meeting, and the secretary shall also notify the chairman of the board of county commissioners, who shall cause the notification received by him and the names of the persons so chosen to be entered upon the minutes of the board of commissioners at their next regular meeting. The representatives chosen as herein provided for shall at the same time fix the salary of the chairman and the other members of the highway commission.

SEC. 8. The said highway commission of Wilson County shall hold its first meeting on Monday, May twenty-second, one thousand nine hundred twenty-two, and elect one of their number chairman and another secretary, and the other member shall be the vice-president, and shall hold meetings at least one in each month thereafter, and may meet oftener upon the call of the chairman or secretary. In case of vacancy caused by death, resignation, removal from the county, or incapacity or other cause, the vacancy shall be filled by the other members of the highway commission, and the person so elected to fill a vacancy shall be certified by the secretary to the register of deeds and to the clerk of the Superior Court of the county. The secretary shall keep a record in a proper book of all business transacted by the commission, and shall safely keep all contracts made by the commission and other books and papers belonging to said commission.

SEC. 9. On or before the first day of June, one thousand nine hundred and twenty-two, and each year thereafter until all such of the public roads, highways, thoroughfares, and bridges as the commission shall decide to be necessary to be constructed under the provisions of this act are constructed and built, the said highway commission shall file with the board of county commissioners an estimate of the number of bonds that will be required by the

Record of election.

Notice to electors.

Meeting.

Organization.

Adjournment for
lack of quorum.Notice to commis-
sioners-elect.

Record of election.

Salaries.

Meeting for
organization.

Regular meetings.

Called meetings.

Vacancies.

Record of
business.
Contracts and
records.Commissioners to
file budget.

Issue and sale of bonds.

Tax for interest and payment.

Funds kept distinct.

Specific appropriation.

Punishment for embezzlement or misuse.

Advertisement for sale of bonds.

Sale below par forbidden.

Right to reject bids.

Private sale.

Proviso: sale below par forbidden.

Expense of issuing bonds.

Deposit of proceeds of bonds.

Interest on deposits.

Bond of depository.

Premium on security bond.
Interest to highway fund.

Powers and duties of commission.

said highway commission for the current year and until June first of the next succeeding year, and it shall be the duty of the said board of commissioners of said county to issue and sell the number of bonds so required by the said commission, by the series in this act authorized, and to levy each year a special tax sufficient to pay the interest thereon as it accrues, and to provide for the payment of the principal thereof as it shall become due. The treasurer or financial agent of the county shall keep the moneys collected by the sheriff and paid over to him, or if from the special taxes levied pursuant to this act, separate from all other moneys and the special taxes levied under this act shall be used for the purposes outlined in this act and no other purpose, and any one who shall be convicted of the embezzlement, misuse of, or failure to account for any of said funds shall be liable to the same punishments, indictments, and penalties as for the like embezzlement, misuse of, and failure to account for other funds of the county of Wilson.

SEC. 10. Before selling any of the series of bonds herein authorized to be issued, the board of commissioners of said county shall advertise the sale and invite sealed bids in such manner as in their judgment may seem to be the most effectual to secure the highest price for said bonds at the lowest rate of interest, provided that the said bonds and none of them shall be sold at less than the face value thereof and accrued interest thereon. The board of commissioners is authorized to reject any and all bids. And if no bid made at the time of the sealed bids so invited is accepted for all of said bonds, then the said board of commissioners is authorized to sell any and all of said bonds so unsold at private sale for the highest price, at the lowest rate of interest: *Provided*, no bond is sold at less than the face value thereof and accrued interest thereon. It shall be the duty of the highway commission to pay out of the proceeds received from the sale of said bonds the cost and expense of lithographing or engraving said bonds and the expense of advertising the sale thereof.

SEC. 11. The proceeds received from the sale of any and all of the bonds herein provided for shall be by the county commissioners deposited in such banks of the county, which banks shall pay interest on the monthly balances at a rate not to be more than four per cent per annum. Before any of the proceeds of the sale of said bonds shall be deposited in any bank, such bank shall execute and deliver to the board of county commissioners a bond in some solvent surety company doing business in North Carolina, conditioned for the faithful accounting for and payment of said money upon proper warrants, the premium upon which bonds shall be paid from the interest received from the deposit. The interest received shall go into the general highway fund.

SEC. 12. The highway commission herein created shall have the entire, complete, and exclusive control over, and it shall be its

duty to build and construct public roads, highways, thoroughfares, and bridges of said county out of gravel or other hard-surfaced, durable material and in a permanent manner, using therefor the proceeds of the bonds issued under this act and herein authorized, and any other moneys that may come into its hands from the State of North Carolina or the Government of the United States.

It shall be the duty of the highway commission to employ a chief engineer of skill, experience and competency, in building permanent roads, and one or more assistants and such clerical force as shall be needed and fix their compensation. By and with the advice of said chief engineer the said highway commission shall determine the material to be used and the manner of construction and width of the highways, public roads, thoroughfares and bridges to be built and constructed; and the said highway commission shall determine what public road or roads, highway or highways, or thoroughfare or thoroughfares shall be first built and the order of their construction, and are authorized, if it shall be deemed advisable, to change the grade and location of said public roads, highways and thoroughfares so constructed. If it shall become necessary to widen any said roads, highways, or thoroughfares or to partly change the location thereof, then the said highway commission is authorized to acquire such additional or other land as may be necessary in its judgment, by purchase or gift, or in the event of failure to agree upon the price therefor, then the highway commission is hereby authorized and empowered to condemn the same in the same manner as is set out in chapter four hundred and twelve of the Public Laws of one thousand nine hundred and three, and in assessing the damages for the land so taken, the value of the said road improvement shall be assessed against the value of the land so condemned and acquired, and the difference paid to the owner or owners of the land. It shall also be the duty of the highway commission to construct and build, as rapidly as possible, all the said roads, highways, thoroughfares, and bridges of said county as can be so constructed and built with the moneys aforesaid. The said highway commission is authorized to obtain legal advice whenever it shall need the same. In selecting roads, highways, thoroughfares, and bridges to be built and constructed, the said highway commission shall not select any that have been taken over by the State Highway Commission as a part of the State system, it being the intent and purpose of this act that the roads, highways, thoroughfares, and bridges constructed hereunder shall be in addition to the roads constructed in Wilson County by the State Highway Commission as a part of the State system: *Provided, however*, the highway commission herein created may enter into contracts with the State Highway Commission to advance or lend to the State Highway Commission a portion of the proceeds received from the sale of the bonds herein authorized to be issued, not to exceed one million dollars (\$1,000,-

Chief engineer.

Assistants and clerical force.
Details of road work.

Selection of work.

Changes.

Acquirement of land.

Dispatch of work.

Legal advice.

Work supplemental to State system.

Proviso: contracts with State Highway Commission.

000), to enable the State Highway Commission to more quickly build and construct the State Highway in Wilson County by the use of the money so loaned, and when the money so loaned is repaid by the State Highway Commission, it shall be used and expended by the Wilson County highway commission as in this act provided, in which event the board of county commissioners shall sell bonds as in this act provided to raise the money necessary to carry out such contracts.

Money from other sources.

SEC. 13. The said highway commission is authorized and empowered to secure from the State of North Carolina, or from the Government of the United States, or any department thereof, or from any other source or sources, any and all moneys that it can in its judgment properly and advantageously obtain, for the purpose of building, or aiding in building, and constructing any one or more or all of said roads, highways, thoroughfares, or bridges of said county: but this shall not be construed to confer upon the commission authority to borrow money.

Power to borrow money not given.

Alternative methods of work.

SEC. 14. The said highway commission is authorized and empowered to build the whole or any part of any road, highway, or thoroughfare, or all of these herein authorized, by hired labor under its own supervision and the supervision of its chief engineer and the assistant engineers, using by permission of the board of county commissioners any or all the convict force of the county of the cost thereof, in which event it is authorized to buy or rent all machinery, tools, implements, and materials that may be necessary; or the said highway commission is authorized and empowered to let to contract for construction the whole or any part of any road, highway, thoroughfare, or bridge, in which event the said highway commission shall take good and sufficient bond from the contractor in a sum deemed by it adequate for the faithful performance of the said contract and the payment of all labor and material used in the construction of said roads in accordance with the specifications prescribed by the highway commission with the approval of the chief engineer.

Work let to contract.

Bond of contractors.

Warrants for payment.

SEC. 15. For the payment of the compensation of the highway commission, the salaries of its chief engineer, assistant engineers, clerks, fees for legal advice, and any and all other expenses incurred by said commission and for the cost of the construction and building of the public roads, highways, thoroughfares, and bridges of said county, the highway commission shall draw its warrants upon the auditor of the county, which warrants shall be signed by its chairman and the secretary, and the auditor shall thereupon endorse the warrant and it shall be payable out of any funds in the hands of any bank in the county to the credit of the highway commission.

Contracts with commissioners and other officers forbidden.

SEC. 16. It shall be unlawful for the highway commission to contract with any member of said commission or any other officer of the county of Wilson, or with any firm, partnership, or corpora-

tion of which said member is a partner or in which he is a stockholder or has any interest, for the construction of any road, highway, thoroughfare, or bridge, or any part therefor, or for any material to be used therein, and the said member or any officer of the county so contracted with, and each of the other members so contracting with him, shall be guilty of a misdemeanor, and shall also be removed from the said highway commission, and the board of commissioners of the county shall, as soon as the meeting can be held, elect the members of said commission to fill such places. Punishment.

SEC. 17. It shall be unlawful for the chief engineer or any assistant engineer to have an interest in any firm, corporation, or copartnership with which the said highway commission shall make any contract for the construction of any road, highway, thoroughfare, or bridge, or any part thereof, and upon conviction thereof he shall be guilty of a misdemeanor. Engineer nor assistants to be interested in contracts.

SEC. 18. The said highway commission shall exist until the proceeds of the sale of bonds issued under this act are expended, together with all other moneys that may come into its hands for the purposes of the act, and all roads, highways, thoroughfares, and bridges are constructed which the said commission shall decide to be necessary to construct, and at such time the said highway commission shall cease and the powers herein conferred upon it shall determine, and it shall be the duty of the secretary to file with the auditor of the county all the books, papers, records, and contracts belonging to it, with a full and complete statement of all warrants issued since the last report, and it shall be the duty of the chairman to deliver to the board of county commissioners a certificate that the work of the commission has been finished, and to further deliver to said board all machinery, tools, implements, and material on hand and unused and unsold by it. Life of commission.
Records and accounts filed.
Certificate of completion of work.
Delivery of equipment.

SEC. 19. The auditor of the county of Wilson is hereby authorized to adopt a system of bookkeeping and accounting for the said highway commission, and the said highway commission will use such system so adopted. The auditor of the county shall audit the books of the said highway commission at least once in each year and oftener as he sees fit. Whenever the auditor of the county of Wilson shall desire to audit the books of the highway commission, they will immediately be turned over to him for that purpose, and any one who in any manner obstructs or attempts to prevent the auditor of the county of Wilson from obtaining possession of the said books of account, papers, vouchers, warrants of the said highway commission, or from auditing the same, shall be guilty of a misdemeanor, and, upon conviction, shall be fined and imprisoned at the discretion of the court, and, if a member of the highway commission, shall forthwith be removed, and his successor shall be elected by the board of county commissioners. System of book-keeping.
Audit of accounts.
Books to be turned over.
Obstruction of audit misdemeanor.
Punishment.

SEC. 20. This act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 55

AN ACT TO AMEND THE GRANVILLE COUNTY ROAD LAW.

The General Assembly of North Carolina do enact:

Law amended.

SECTION 1. That chapter four hundred fifty-five, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended as follows:

Appointment of township supervisors.

"(a) By striking out section seven and inserting the following in lieu thereof:

Notice to persons appointed.

Meeting and organization.

Road districts.

Overseers.

Assignment of hands.
Duties of overseers.

Pay of supervisors.

Road age.

Road duty.

Reports of overseers.

"SEC. 7. That on the second Monday in January, one thousand nine hundred and twenty-two, and on the second Monday in January of each and every year thereafter, the board of road commissioners of said county shall appoint three discreet persons for each township in the county who shall constitute and be known as the board of road supervisors of their respective townships. Immediate notice of their appointment shall issue to each person so appointed, and the persons so appointed shall meet in their respective townships at such time and place as the board of road commissioners shall designate, and shall organize by electing a chairman and secretary. Said supervisors shall then proceed to divide the public roads of their townships into convenient sections or districts, and shall appoint an overseer for each section or district and assign the able-bodied male persons living in said township to the section of road on or nearest where they reside. Each overseer so appointed shall perform the duties imposed by this act, and such duties as may be required by the board of road commissioners, or by the county road superintendent under the supervision of said board. The said supervisors shall each receive the sum of two dollars per day for each day during which they are actually engaged in the duties of their work and mileage at the usual rate in going to and from the place of their meetings, the same to be paid out of the road fund of the county."

"(b) By striking out the word 'fifty' in lines two and three of section twelve and inserting the word 'forty-five' in lieu thereof.

"(c) By striking out section fourteen and inserting the following in lieu thereof:

"SEC. 14. That every section of road in said county designated by the township road supervisors shall be worked not less than four days in each year, at such times as may be appointed by the said road supervisors, under the supervision of county road superintendent and the board of road commissioners, and each overseer shall twice each year, at such times as may be required by the board of road commissioners, submit to the township road supervisors a written report of the number of days worked on the section of road under his control, the number and names of the hands who failed to attend and work, whether they were legally notified, and the condition of his road at the time of said report."

“(d) By striking out the word ‘twenty-five’ in line eleven of section twenty-five and inserting the word ‘thirty-five’ in lieu thereof.”

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 15th day of December, A.D. 1921.

CHAPTER 56

AN ACT TO PLACE THE OFFICERS OF HARNETT COUNTY UPON A FEE BASIS.

The General Assembly of North Carolina do enact:

SECTION 1. That hereafter, in lieu of the salaries provided for in chapter six hundred and eighty-four of Public-Local Laws of one thousand nine hundred and fifteen, the sheriff, clerk of the Superior Court, clerk of the recorder's court, and register of deeds of Harnett County shall receive as compensation for services as such officers the fees, commissions, profits, and emoluments of all kinds paid into their respective offices, and in addition thereto the said sheriff shall receive and retain for his own use such commissions, fees, costs, and other emoluments as are now or may hereafter be allowed to sheriffs for the collection of taxes under the general laws of the State.

Officers to receive fees instead of salaries.

Fees for collection of taxes.

SEC. 2. That the fees, commissions, profits, and emoluments received by the said officers of Harnett County under the provisions of section one hereof shall be received and accepted by them as full and complete compensation for their services as such officers: *Provided*, that the sheriff of Harnett County shall also receive the amount of his actual expenses for conveying prisoners from the place of trial to jail and from jail to the place of trial, for taking prisoners to the State Prison or chain-gang, for taking insane persons to the State Hospital; and it shall be the duty of the said sheriff to render to the board of commissioners of said county monthly a statement of the expenses above provided for showing the date such expense was incurred, the purpose for which incurred, and the amount thereof; and thereupon, if the board of commissioners be satisfied that the amount submitted is correct, the same shall be paid to the sheriff out of the general funds of the county in the manner provided for the payment of other county expenses.

Fees as full compensation.

Proviso: expenses of conveying prisoners.

Monthly statement of expenses.

SEC. 3. That chapter six hundred and eighty-four of the Public-Local Laws of one thousand nine hundred and fifteen be amended by striking out the provisions of said chapter requiring the sheriff, clerk of the Superior Court, clerk of the recorder's court, and register of deeds of said county to keep a separate and accurate account of the fees, commissions, profits, and emoluments paid into their respective offices, and requiring the auditor of the county to check and audit such accounts.

Requirement of accounts by officers rescinded.

Conflicting clauses
stricken out.

SEC. 4. That said chapter six hundred and eighty-four of the Public-Local Laws of one thousand nine hundred and fifteen be further amended by striking out all such provisions in said chapter as are in conflict with the provisions of this act.

Repealing clause.

SEC. 5. That all laws and clauses of laws in conflict with this act are hereby repealed.

When act
effective.

SEC. 6. That this act shall be in force and effect from and after the first Monday in December in the year one thousand nine hundred and twenty-three.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 57

AN ACT TO FIX THE COMPENSATION OF THE CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS OF ROWAN COUNTY.

The General Assembly of North Carolina do enact:

Chairman to be
paid salary.

SECTION 1. That the chairman of the board of county commissioners of Rowan County shall be paid and shall receive for his services as such chairman the sum of one hundred dollars a month, which sum shall be in lieu of all other compensation now paid him for such services, and shall be paid monthly out of the general county funds in the hands of the county treasurer.

Amount.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

When act
effective.

SEC. 3. That this act shall be in force from and after January first, one thousand nine hundred and twenty-two.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 58

AN ACT TO AMEND CHAPTER 113, PUBLIC LAWS 1921, IN- CREASING THE FEES OF JUSTICES OF THE PEACE FOR MOORE COUNTY.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section two, chapter one hundred and thirteen, Public Laws one thousand nine hundred and twenty-one, be amended by striking out the period at the end of said section two and adding thereto the words "and Moore."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 59

AN ACT TO VALIDATE CERTAIN NOTES OF THE COUNTY OF JONES, AND TO PROVIDE FOR THE PAYMENT OF SAID NOTES.

The General Assembly of North Carolina do enact:

SECTION 1. The outstanding road notes of the county of Jones heretofore issued by the board of commissioners for said county, of the aggregate principal amount of four hundred and twenty-five thousand dollars (\$425,000), consisting of four hundred and twenty-five notes for the sum of one thousand dollars (\$1,000) each, numbered from one to four hundred and twenty-five, inclusive, dated November first, one thousand nine hundred and twenty-one, payable November first, one thousand nine hundred and twenty-three, bearing interest at the rate of six per cent per annum, payable semiannually, and reciting that they are issued pursuant to section three thousand seven hundred and sixty-eight of the Consolidated Statutes of North Carolina, and chapter fifty-eight of the Public-Local Laws of one thousand nine hundred and twenty of North Carolina, and pursuant to a resolution adopted by the board of commissioners for the county of Jones on October seventeen, one thousand nine hundred and twenty-one, are hereby legalized and validated and made binding obligations of the county of Jones. It is hereby determined as a fact that said notes were issued for necessary expenses of said county, namely, for the purpose of raising funds with which to defray the cost of building and rebuilding public roads and bridges in said county. All acts and proceedings of the county of Jones, or of any of its officers, relating to the issuance or payment of said notes or to the disposition or custody of the proceeds of the sale of said notes, including all resolutions adopted by said board of county commissioners on October thirty-first, one thousand nine hundred and twenty-one, relating to the issuance and payment of said notes, are also hereby legalized and validated.

Road notes legalized and validated.

Declaration of necessary expenses.

Acts and proceedings validated.

SEC. 2. The board of commissioners of the county of Jones is hereby authorized to renew said notes by issuing new notes from time to time in an aggregate principal amount not exceeding the amount of the principal and interest of the notes to be renewed. The said notes shall run for a period not exceeding four years, and shall bear interest at a rate not exceeding six per cent per annum. They may either be issued in exchange for outstanding notes or sold at not less than par.

Renewal of notes.

Maturity.

Interest.

Exchange or sale.

SEC. 3. The board of county commissioners of the county of Jones is also hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding four hundred and twenty-five thousand dollars (\$425,000) for the purpose of paying the principal and interest of said outstanding notes, or for the

Bond issue authorized.

Amount.

Purpose.

Maturity.	purpose of paying the principal and interest of any notes issued for the purpose of renewing said outstanding notes. The said bonds shall be payable not more than thirty years after their date. They shall bear interest at a rate not exceeding six per cent per annum, payable semiannually. They shall be sold at not less than their par value.
Interest.	
Sale below par forbidden.	
Special tax.	SEC. 4. In addition to all other taxes authorized by law to be levied in the county of Jones, the board of commissioners of said county is hereby authorized to levy annually a sufficient special tax <i>ad valorem</i> on all taxable property in said county for the special purpose of paying the principal and interest of the notes described in section one of this act, or for the special purpose of paying the principal and interest of any notes issued to renew said notes, or for the special purpose of paying the principal and interest of any bonds issued under section three of this act. No limitation prescribed by law upon the rate of taxes which may be levied in Jones County or upon the amount of bonds or notes which may be issued by said county shall apply to the taxes authorized by this act to be levied or to the notes or bonds authorized by this act to be issued.
Limitations not applicable.	
Payments from State Highway Commission.	SEC. 5. Nothing in this act shall prevent the board of county commissioners of the county of Jones from paying the principal and interest of any notes or bonds referred to in this act by means of moneys received or to be received by the county of Jones from the State of North Carolina under contract made between the State Highway Commission of North Carolina and the county of Jones, by the terms of which contract the State of North Carolina has agreed to reimburse the county of Jones for moneys paid by said county on account of the cost of construction of roads and bridges in said county, but all moneys so received from the State of North Carolina under such a contract shall be deemed to be pledged for the payment of the principal and interest of the notes and bonds referred to in this act.
Pledge of funds.	
Custody and control of funds.	SEC. 6. The board of county commissioners of Jones County, the legal road-governing body of said county, shall be entitled to receive, and shall be responsible for, the custody and control of all funds derived from the sale of said four hundred and twenty-five thousand dollars (\$425,000) two-year road notes, and all funds which may hereafter be paid by the State in reimbursement of funds advanced pursuant to contract made by State Highway Commission and the county of Jones under date June sixth, one thousand nine hundred and twenty-one; and said board, or such person or persons designated by it, may deposit any part or all of said funds not requisitioned by the State Highway Commission for road construction with solvent banks, trust companies, or corporations either within or without the State upon such securities and terms as to interest and payment as said board or its legal representatives require. All acts and proceedings heretofore done or
Deposit of funds.	
Interest on deposits.	
Acts and proceedings validated.	

taken by or under the direction of said board relating to the deposit or handling of said funds, are hereby legalized and validated: and the treasurer or financial agent of said county and its bond are relieved of any duty to receive and account said funds, and shall not be held responsible in any way for the acts and proceedings of the board or its representatives heretofore made or entered into with reference to said funds. Relief of treasurer.

SEC. 7. All acts and parts of acts inconsistent with this act are hereby repealed. Repealing clause.

SEC. 8. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 60

AN ACT TO VALIDATE A BOND ISSUE OF TOWNSVILLE TOWNSHIP IN VANCE COUNTY.

Whereas, at a special election held in Townsville Township in Vance County on May ninth, one thousand nine hundred and nineteen, a majority of the qualified voters of said township voted in favor of subscribing to seventy-five thousand dollars stock for the purpose of purchasing the Roanoke River Railroad and its equipment extending from Manson, North Carolina, to Townsville, North Carolina, and of issuing seventy-five thousand dollars bonds to carry out said subscription, and of levying a special tax to pay said bonds under the provisions of chapter sixty-four of the Public Laws of North Carolina of one thousand nine hundred and seventeen, as amended; and Preamble: election authorizing bond issue and special tax.

Whereas, pursuant to said election, the said township has subscribed to seventy-five thousand dollars of stock of the Townsville Railroad Company, a corporation organized under the laws of the State of North Carolina for the purpose of acquiring said railroad, and has issued to said corporation seventy-five thousand dollars bonds of said township, consisting of fifty bonds of the denomination of one thousand dollars each and fifty bonds of the denomination of five hundred dollars each, dated July tenth, one thousand nine hundred and nineteen, bearing interest at the rate of five per centum (5%) per annum, payable semiannually on the tenth days of January and July in each year, and maturing July tenth, one thousand nine hundred and forty-nine, and has received in exchange for said bonds seventy-five thousand dollars stock, of said corporation: Now, therefore, Preamble: subscription to railroad stock. Issue of bonds. Exchange for stock.

The General Assembly of North Carolina do enact:

SECTION 1. The said election held in Townsville Township in Vance County on May ninth, one thousand nine hundred and Election and subsequent acts validated.

nineteen, and the acts and proceedings done or taken in or about the calling, holding or determination of the result of said election or in or about the registration of voters for said election, and also all acts and proceedings thereafter done and taken relating to the issuance of seventy-five thousand dollars of bonds pursuant to said election, including the execution and delivery of said bonds in exchange for stock of the Townsville Railroad Company are hereby legalized and validated and said bonds are hereby determined and declared to be valid obligations of said township.

Bonds declared valid.

Special tax.

SEC. 2. The board of commissioners of Vance County are hereby authorized and directed to levy an annual tax in Townsville Township for the purpose of paying the principal and interest of said bonds in accordance with the provisions of said chapter sixty-four of the Public Laws of North Carolina of one thousand nine hundred and seventeen, as amended.

Repealing clause.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 61

AN ACT TO PROVIDE ADDITIONAL MEANS FOR THE COLLECTION OF CHARGES OF TELEPHONE EXCHANGES.

The General Assembly of North Carolina do enact:

Lien on telephones for exchange charges.

SECTION 1. Any person, firm or corporation operating a telephone exchange for hire, whether such person, firm or corporation own the wires leading into the switchboard of said telephone exchange or not, shall have a lien on any telephone connected with said wire for the exchange charges of such telephone; and any person, firm or corporation who has a telephone connected with a wire leading to the switchboard shall be liable for exchange charges of said telephone so long as the telephone is connected with said wire. And upon failure of the owner of a telephone to pay the exchange charges within ten days after same becomes due, the person, firm or corporation operating the telephone exchange shall have the right and privilege to go upon the premises where such telephone is connected to the wire leading to the switchboard and sever said telephone from said wire without being guilty of trespass.

Extent of liability.

Entry for enforcement of liens.

Application of act.

SEC. 2. This act shall apply to the counties of Cleveland, Rutherford, Burke, Catawba, and Lincoln only, and shall be in force from and after the day of its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 62

AN ACT TO AMEND CHAPTER 575. PUBLIC-LOCAL LAWS.
1921. RELATING TO THE PUBLIC ROADS OF COLUMBUS
COUNTY, AND AUTHORIZE THE BORROWING OF MONEY
BY THE TOWNSHIP ROAD COMMISSION OF COLUMBUS
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter five hundred and seventy-five, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from line forty-one thereof the word "two" and inserting in lieu thereof the word "one."

Term of road commissioners.

SEC. 2. That section nine, chapter five hundred and seventy-five, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from line fifteen of said section the word "two" and inserting in lieu thereof the words "one and one-half."

Commutation for road work.

SEC. 3. That section fourteen, chapter five hundred and seventy-five, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from line seven of said section the word "nine" and inserting in lieu thereof the word "six."

Annual commutation.

SEC. 4. That section ten, chapter five hundred and seventy-five, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from lines eleven and twelve the words "and said commissioners shall receive no pay for their services" and inserting in lieu thereof the words "each member of said commission shall receive as compensation for his services the sum of two dollars for each day actually spent in the transaction of the business of the said commission: *Provided*, that no such member of said commission shall receive compensation for more than six days services in any year."

Pay of road commissioners.

Limit.

SEC. 5. That chapter five hundred and seventy-five, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting between section four and section five of said chapter the following:

"SEC. 4-a. That in order to provide road funds in anticipation of the collection of taxes, any said township road commission is hereby authorized and empowered, by and with the consent and written approval of the board of county commissioners, to borrow money in an amount not exceeding seventy-five per cent of the sum collected for road purposes in said township the preceding year, and to issue therefor the promissory note of the said township for a term not exceeding six months. Such promissory note shall be signed by the chairman of the said township road commission,

Loans in anticipation of taxes.

Limitation.

Maturity of loan.

Execution of note.

Use of proceeds of
loans.

and countersigned by the chairman of the board of county commissioners, and shall pledge the credit of the township for which the said note is given. The proceeds arising from the borrowing of any such sum shall be used and expended upon the public roads of such township just as the other road funds authorized by the provisions of this act are expended.

Repealing clause.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 63

AN ACT TO AUTHORIZE THE ISSUANCE OF ROAD BONDS FOR SAMPSON COUNTY.

The General Assembly of North Carolina do enact:

Purpose of bond
issue.

SECTION 1. That for the purpose of building and improving the public roads and bridges of Sampson County and to maintain the road commission of said county, its agents, servants, and employees, the board of county commissioners of said county is hereby authorized, empowered, and directed to issue, as may be needed, bonds of said county not to exceed in total amount, in addition to the bonds heretofore authorized to be issued by said county, the sum of two hundred thousand dollars, in denominations of not less than one hundred dollars and not more than five thousand dollars, bearing interest from their date at the rate not to exceed six per centum per annum, the rate to be fixed by the board of county commissioners at the time of issuing such bonds and shall be fixed at the lowest rate possible in order that the bonds may bring par on the market. The interest on said bonds to be payable semiannually on the first day of January and July of each year, at the office of the county treasurer of Sampson County, or such other place as the board of county commissioners may designate at the time of issuing such bonds: said interest to be evidenced by coupons attached to said bonds.

Amount.

Denominations.

Interest.

Payment of
interest.

Maturity.

Recitals.

Numbers.

Authentication.

SEC. 2. That said bonds shall be made payable twenty years from the date of their respective issue, and shall bear on their face the purpose for which they are issued and the authority for the same, and shall be numbered consecutively, beginning with such serial number as shall make such bonds numbered consecutively following the number of the bonds authorized by chapter fifty-six (56) of the Public-Local Laws of one thousand nine hundred and twenty-one, and shall be signed by the chairman of the board of commissioners and attested and countersigned by the

register of deeds of Sampson County, and shall be impressed with the corporate seal of said county.

SEC. 3. A record shall be kept by said board of commissioners in a book to be provided by them for that purpose of all bonds sold, to whom sold, the amount and the date of sale of each and the date of maturity of each bond so sold, together with its number. They shall also keep a record likewise provided for that purpose, of all bonds paid off and redeemed, which said bonds when so redeemed shall be canceled.

Record of bonds issued.

Record of redeemed bonds.

SEC. 4. In order to pay the interest on the bonds so issued the board of commissioners shall annually compute the interest on the bonds by them sold, and at the time of levying other State and county taxes levy a sufficient special tax upon all of the real and personal property to pay such interest as will accrue for the year in which such levy is made, and also a like tax sufficient to create a sinking fund to pay off such bonds at maturity.

Special tax.

SEC. 5. That said tax, when collected, shall be kept separate and apart from all other taxes, and shall be used only for the purposes for which same is levied and collected. After paying the interest on said bonds the balance of the fund so collected shall be placed in the sinking fund. And the board of commissioners may invest the sinking fund, either in State or United States bonds, first mortgage on real estate, or may use same to purchase any bonds authorized by this act outstanding which may be on the market. Any commissioner who shall by any means cause any of said taxes to be used for any other purpose than that for which they were levied and collected shall be guilty of a misdemeanor, and upon conviction be fined or imprisoned in the discretion of the court.

Taxes kept separate.

Specific appropriation.

Carried to sinking fund.

Investment of sinking fund.

Diversion of funds misdemeanor.

Punishment.

SEC. 6. That the board of commissioners shall advertise said bonds in some newspaper published in Sampson County, and at the courthouse door, for a period of thirty days, and shall also have authority, in their discretion, to advertise the same in any bond advertising paper or journal for such period as they may designate, and they shall sell the same for not less than par. The proceeds of said sales shall be turned over and charged to the treasurer of Sampson County, to be paid out by such treasurer only upon warrants duly issued by the road commission of said county for the purposes set out in this act, but no purchaser of said bonds shall be responsible for the application of the money derived from the sale of same.

Advertisement of sale.

Sale below par forbidden.

Custody of proceeds.

Warrants for expenditures.

Obligation of purchaser divested.

SEC. 7. That all taxes levied under the provisions of this act shall be collected by the sheriff of said county and turned over to the treasurer of said county for disbursement in the same way that all other taxes are collected and disbursed, and the sheriff and treasurer shall receive the same commission for collecting or disbursing said fund as they do or shall receive for collecting or disbursing other county funds.

Collection and settlement of tax.

Commissions.

Former acts not
affected.

SEC. 8. This act shall in no way amend, modify, or repeal chapter fifty-six of the Public-Local Laws of one thousand nine hundred and twenty-one, but shall authorize the issuance of two hundred thousand dollars in bonds in addition to those authorized in said act.

SEC. 9. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 64

AN ACT TO AMEND CHAPTER 326, PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE PUBLIC ROADS OF MITCHELL COUNTY, AND TO AUTHORIZE BOND ISSUES AND SPECIAL TAXES THEREFOR.

The General Assembly of North Carolina do enact:

Articles relieved
from license tax.

SECTION 1. That section thirteen of chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from said section all of the sentence after the colon in line seventeen through the word "county" in line twenty-two; and by striking from line twenty-three the words "tan-bark, pulp wood, acid wood, feldspar"; and by striking from lines twenty-five and twenty-six the words "tan-bark, pulp wood, acid wood and feldspar" and by striking from line thirty-three the words "pulp wood, acid wood or feldspar."

Concrete sidewalk.

SEC. 2. That section seventeen, chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from line three the words "not otherwise appropriated."

Limit of county
bond issue.

SEC. 3. That section eighteen, chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from line eighty-five the words "two hundred" and inserting in lieu thereof the words "two hundred and twenty-five."

Bridge at Cane
Creek.

SEC. 4. That section nineteen, chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting in line sixteen between the word "mile" and the period, the following words: "*Provided*, that out of the aforementioned funds available for building said road the said commissioners shall build or cause to be built a proper and suitable bridge across Cane Creek, which bridge shall cost not less than twenty-five hundred dollars (\$2,500)."

SEC. 5. That chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out section twenty complete.

Specifications for bridges.

SEC. 6. That section twenty-two, chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from line three the word "fifteen" and inserting in lieu thereof the word "twenty-five"; and by striking from lines four and five the words embraced in the parentheses, viz.: "the amount of which bonds have already been voted by the qualified voters of said township"; and by striking from line six the words "twenty-five" and inserting in lieu thereof the word "fifty"; and by striking from line ten the words "toward the top of Cane Creek Mountain" and inserting in lieu thereof the words "to the Avery County line."

Road bonds for Cane Creek Township.

Location of road.

SEC. 7. That section twenty-three, chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from lines six and seven the words "fifteen thousand dollars (\$15,000)" and inserting in lieu thereof the words "thirty thousand dollars (\$30,000)."

Bonds for Red Hill Township.

SEC. 8. That chapter three hundred and twenty-six, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting between section twenty-three and section twenty-four the following sections:

"SEC. 23 (a). That the board of road commissioners of Mitchell County are hereby authorized, empowered, and directed to issue and sell the bonds of Snow Creek Township, Mitchell County, in amount not to exceed fifty thousand dollars, and to expend the proceeds arising from said sale on the construction, maintenance, and repair of the public roads of Snow Creek Township.

Bonds for Snow Creek Township.

"SEC. 23 (b). That the board of road commissioners of Mitchell County are hereby authorized, empowered, and directed to construct and build or cause to be constructed and built an improved road to run as follows: From the schoolhouse near Paul Peterson's house on Poplar Creek, via Poplar station in Poplar Township, thence to the Bradshaw Township line; thence to the Red Hill Township line, via Tipton Hill; thence crossing Big Rock Creek to the Bakersville-Burnsville road; that the cost of construction of the said road shall be borne out of the public road funds of the townships through which the said road runs, the road funds of each township bearing and paying the cost of that part of said road which lies within said township.

Construction of road ordered.

Route.

Cost to be borne by townships.

"SEC. 23 (c). That in order to provide township funds for the construction of the road authorized and directed in section twenty-three (b), the board of road commissioners shall issue and

Bonds of Red Hill, Poplar, and Bradshaw townships.

sell the bonds of Red Hill Township in amount not to exceed ten thousand dollars, the bonds of Poplar Township in an amount not to exceed fifty thousand dollars, and the bonds of Bradshaw Township in an amount not to exceed fifty thousand dollars.

Road ordered in
Herrell Township.

"SEC. 23 (d). That the board of road commissioners of Mitchell County is hereby authorized, empowered and directed to construct and build, or cause to be constructed and built, an improved road in Herrell Township, Mitchell County, which shall run as follows: From the State Highway near the Bradshaw place in Herrell Township, crossing Big Rock Creek two times to a point in Red Hill Township, between the ford of Big Rock Creek and Forbes, near said ford; and the said road commission shall build or cause to be built proper bridges along said road. That the cost of construction of the said road shall be paid out of the road funds of Herrell Township.

Route.

Route.

Payment of
expense.

Bond issue for
Herrell Township.

"SEC. 23 (e). That in order to provide funds necessary for the construction of the road authorized and directed in section twenty-three (d), the board of road commissioners of Mitchell County is hereby authorized, empowered and directed to issue and sell the bonds of Herrell Township in an amount not to exceed fifty thousand dollars.

Maturity of bonds.

"SEC. 23 (f). That the bonds authorized, empowered, and directed to be issued under section twenty-three (a), twenty-three (c), and twenty-three (e), shall be for a term of not less than ten years, nor more than thirty years, and shall bear interest at a rate not to exceed six per cent. Subject to said restrictions and to the limitations by the above mentioned sections, the form, time of issue, place of payment, and other details shall be left to the discretion of the board of road commissioners of Mitchell County. The said bonds shall be issued and sold as other similar municipal bonds are issued and sold in accordance with the prior provisions of chapter three hundred and twenty-six, Public-Local Laws one thousand nine hundred and

Interest.

Issue and sale
of bonds.

Specific appropriation
of proceeds.

twenty-one, relating to the sale of similar bonds, and the proceeds arising from said sale shall be used for the purposes specified in the law authorizing their issue and for no other purpose whatsoever: *Provided*, that the expenses incident to the issue and sale of said bonds may be deducted from the proceeds of said sale; and, *Provided further*, that the purchaser or purchasers of said bonds shall not be required to see to the proper application of the proceeds of said bonds.

Expense of issue
and sale.

Proviso: obligation
of purchaser
divested.

Special taxes.

"SEC. 23 (g). That when the bonds of any of the aforesaid townships have been issued in accordance with the provisions of sections twenty-three (a), twenty-three (c), or twenty-three (e), the board of county commissioners of Mitchell County shall annually thereafter levy in each of the said townships issuing the said bonds a special tax upon all property in said township sufficient to provide funds for the payment of interest on the bonds

of said township, and to provide a sinking fund adequate to retire the said bonds of said township at their maturity. The said special taxes shall be levied and collected as the other county taxes are levied and collected, and the proceeds arising from the collection thereof shall be kept separate and apart from the other county and township funds and shall be used for the purposes of paying the interest and retiring the bonds of the respective townships and for no other purpose whatsoever."

Levy and collection of taxes.

Specific appropriation.

SEC. 9. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 65

AN ACT FOR THE PROTECTION OF PHEASANTS IN RUTHERFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. It shall be unlawful for any person to hunt, shoot, trap, kill or in any way injure or capture any English or ring-neck pheasant in Rutherford County, or to destroy the nests or eggs of the same, prior to January fifteenth, one thousand nine hundred and twenty-nine, from and after the passage of this act.

Full protection.

SEC. 2. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be fined not less than ten dollars nor more than fifty dollars for each pheasant so killed, captured or injured, or each nest destroyed or each setting of eggs destroyed; and one-half of the fine collected shall go to the officer making the arrest.

Misdemeanor.
Punishment.

One-half fines to officers.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 66

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF GUILFORD COUNTY TO ISSUE NOTES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Guilford County is hereby authorized to issue notes of said county in an aggregate principal amount not exceeding two hundred and fifty thousand

Issue of notes authorized.

Amount.

Application of proceeds.	dollars (\$250,000), and to apply the proceeds of the sale of said notes to the payment of the cost of building, equipping or improving a county home for the poor, and to the payment of any other necessary expenses of said county, to be determined either before or after the issuance of said notes; and said board is also hereby authorized to levy an annual tax on all taxable property in said county for the special purpose of paying the principal and interest of said notes as said notes and said principal and interest fall due, which tax may be levied at such rate and in such amount as may be required for said purpose, and shall be in addition to all other taxes authorized by law to be levied in said county.
Special tax.	
Form and execution of notes.	SEC. 2. The said notes shall be in such form and denomination, and be executed in such manner, and payable at such time or times, not more than three years after their date, and bear such rate of interest, not exceeding six per cent per annum, as the said board of county commissioners may by resolution direct.
Maturity.	
Interest.	
Powers additional.	SEC. 3. The powers conferred by this act are conferred in addition to and not in substitution for the existing powers of Guilford County, and are not subject to any limitation or restriction prescribed by any other law.
Repealing clause.	SEC. 4. All acts and parts of acts inconsistent with this act are hereby repealed.
	SEC. 5. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 67

AN ACT TO AMEND CHAPTER 308, PUBLIC-LOCAL LAWS 1921, RELATING TO THE PUBLIC ROADS OF CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Term of commissioners.	SECTION 1. That section two, chapter three hundred and eight, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from line seven the word "four" and inserting in lieu thereof the word "six."
Employment of superintendent.	SEC. 2. That chapter three hundred and eight, Public-Local Laws, one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting between section two and section three the following:
Duties and powers.	"SEC. 2 (a). That the said highway commission of Caswell County is hereby authorized and empowered, in their discretion, to employ a competent superintendent of roads for the county who shall have such duties and powers as the said commission shall designate and as are consistent with the provisions of this

act and who shall receive such salary as the said commission **Salary.** shall designate, not to exceed fifty dollars per month.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 68

AN ACT TO AUTHORIZE THE BOARD OF ROAD COMMISSIONERS OF HERTFORD COUNTY TO EXPEND A SUM OF MONEY NOT EXCEEDING \$8,500 OUT OF THE PROCEEDS DERIVED FROM THE SALE OF THE ROAD BONDS TO PAY OFF AND DISCHARGE THE INDEBTEDNESS OF MURFREESBORO TOWNSHIP, CREATED FOR ROAD CONSTRUCTION PRIOR TO THE SALE OF SAID ROAD BONDS, AND TO REPEAL SECTION 26 OF CHAPTER 347 OF THE PUBLIC-LOCAL LAWS OF 1921.

Whereas, in order to meet the requirements of the State Highway Commission in the establishment of the State highway from county-seat to county-seat, and changing and relocating certain public roads in Murfreesboro Township, the road supervisors of said Murfreesboro Township necessarily created an indebtedness amounting to around eighty-five hundred dollars more than the funds provided by the taxes and the funds now in the treasury to the credit of said township; and

Preamble: creation of debt.

Whereas the system of working the public roads of Hertford County was changed at the session of one thousand nine hundred and twenty-one from the township to the county-unit system, and there is now to the credit of said township a balance of around three thousand dollars; and

Preamble: change of system of road work.

Balance to credit of township.

Whereas a provision made in said act for the levying of a special tax by the county commissioners for the payment of said indebtedness was declared unconstitutional by the Supreme Court; and

Preamble: special tax unconstitutional.

Whereas since the passage of said act a bond issue of five hundred thousand dollars for the working of the public roads of said county has been authorized and a portion of same sold; and

Preamble: county bond issue.

Whereas the board of road commissioners of said county has found that the indebtedness of said Murfreesboro Township was properly created and the money necessarily and judiciously expended in the improvement of the said public roads, which are now a part of the county system, and have passed resolutions requesting that the Legislature authorize the payment of the said

Preamble: township debt properly created and money judiciously expended.

indebtedness out of the funds now in their hands to the credit of Murfreesboro Township, and the balance due thereon from the funds derived from the sale of said bonds: Now, therefore,

The General Assembly of North Carolina do enact:

Payment
authorized.

SECTION 1. That the board of road commissioners of Hertford County be authorized, and they are hereby directed, to pay out of the funds in their hands to the credit of said township and the balance necessary for the payment of the same out of the proceeds derived from the sale of said road bonds, the indebtedness contracted by, and now due by the former board of road supervisors of Murfreesboro Township as set out and described in the preamble of this act, *provided* said indebtedness shall be first passed on and approved by the former board of road supervisors of said Murfreesboro Township.

Proviso: approval
of debt.

Special tax
rescinded.

SEC. 2. That section twenty-six of chapter three hundred and forty-seven of the Public-Local Laws of session of one thousand nine hundred and twenty-one, be and the same is hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 69

AN ACT TO MAKE IT UNLAWFUL TO OPERATE SLOT MACHINES OR OTHER MACHINE OF CHANCE, OR TO OWN OR OPERATE PUBLIC POOLROOMS OR BILLIARD ROOMS IN WATAUGA COUNTY.

The General Assembly of North Carolina do enact:

Maintenance or
operation of cer-
tain machines
unlawful.

SECTION 1. That on and after April first, one thousand nine hundred and twenty-two, it shall be unlawful for any person, firm or corporation to maintain, operate or permit to be maintained or operated in any place or places under his or their control, any punch-board, slot machine, vending machine or any other device of any kind or name whatsoever where a person puts or pays in money with the hope or expectation or inducement of obtaining prizes or more money than the value of his money that he puts or pays in at any one time; and that it shall be unlawful on and after April first, one thousand nine hundred and twenty-two, to own or operate a public poolroom or billiard room in which a charge is made for playing pool or billiards.

Poolrooms or
billiard rooms.

Misdemeanor.
Punishment.

SEC. 2. Any person violating the provisions of section one of this act shall be guilty of a misdemeanor and shall be fined or imprisoned at the discretion of the court.

Application of act.

SEC. 3. That this act shall apply to Watauga County only.

SEC. 4. That all laws and clauses of laws in conflict with the Repealing clause. provisions of this act are hereby repealed.

SEC. 5. That this act shall be in force from and after April When act. first, one thousand nine hundred and twenty-two. effective.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 70

AN ACT TO PROHIBIT THE DUMPING OF SAWDUST IN THE STREAMS AND CREEKS OF GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation to throw or dump any sawdust in any stream or creek in Graham County. Throwing or dumping forbidden.

SEC. 2. That violation of section one of this act shall be a misdemeanor. and upon conviction, the person so convicted shall be punished with a fine of fifty dollars. Misdemeanor. Punishment.

SEC. 3. That the dumping of sawdust in any stream or creek in Graham County on each day shall constitute a separate and distinct offense under the provisions of this act. Separate offenses.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 71

AN ACT TO AMEND CHAPTER 578, SECTION 2, OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO FEES ALLOWED THE SHERIFF OF CABARRUS COUNTY FOR SERVING PROCESS.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter five hundred and seventy-eight of the Public-Local Laws of North Carolina, session of one thousand nine hundred and twenty-one, be amended by inserting in line two of said section, between the words "Granville" and "Bertie," the word "Cabarrus," making the provisions of said chapter five hundred and seventy-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, apply to Cabarrus County. Law extended.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 72

AN ACT TO REPEAL SECTION 21 OF CHAPTER 201 OF THE PUBLIC LAWS OF 1907, RELATING TO THE PUBLIC ROADS OF CABARRUS COUNTY.

The General Assembly of North Carolina do enact:

Schedule.

SECTION 1. That section twenty-one of chapter two hundred and one of the Public Laws of North Carolina, enacted in the year one thousand nine hundred and seven, be and the same is hereby repealed.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 73

AN ACT TO AMEND CHAPTER 518 OF THE PUBLIC-LOCAL LAWS OF 1913, AMENDING THE SCHOOL LAW IN ITS APPLICATION TO BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

Tax rate.

SECTION 1. That section six (6) of said chapter five hundred eighteen (518) be and the same is hereby amended by striking out the word "ten" between the words "exceed" and "cents" in said line five (5) of section six (6), and insert in lieu of said word "ten" in said line five (5) of section six (6) the word "sixty."

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 74

AN ACT TO AMEND CHAPTER 555 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION OF 1921, RELATING TO THE ROAD LAW OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the following section shall be added to chapter five hundred and fifty-five, Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-one, and designated as section one and a half:

"SEC. 1½. That the expense and maintenance of the chain-gang in Robeson County shall be construed to be an overhead county expense and shall be paid for out of the general road funds of Robeson County, and those townships in said county, which have heretofore borne the expense, maintenance, and up-keep of the chain-gang, shall be reimbursed by the road commission of Robeson County to the amount so expended out of the general county road funds."

Maintenance of chain-gang.

Townships to be reimbursed.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 75

AN ACT TO VALIDATE THE SALE OF CERTAIN ROAD BONDS FOR ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the unissued portion of Ashe County road bonds, voted April twenty-ninth, one thousand nine hundred and nineteen, under chapter four hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and nineteen, may mature at a fixed time or times within twenty years from their date, without option of prior payment, unless expressed in said bonds, and the interest thereon may be made payable annually or semiannually.

Maturity of bonds.

SEC. 2. That the sale of three hundred and sixty-five thousand dollars of said bonds, bearing interest at six per cent per annum, at par and a premium, is hereby ratified, and the said three hundred and sixty-five thousand dollars bonds, when properly executed and delivered and paid for, shall constitute valid and binding obligations of Ashe County.

Sale of bonds ratified.

SEC. 3. That the remainder of said bonds shall not be sold at less than par, nor until after advertisement naming a date for receipt of sealed bids therefor; which advertisement shall be deemed sufficiently published if printed once a week for a period of not less than three weeks in some newspaper published in Ashe County and a newspaper of general circulation throughout the State.

Sale of bonds below par and without advertisement forbidden. Sufficient advertisement.

SEC. 4. That the board of county commissioners shall annually levy a sufficient tax for the payment of the interest on said bonds, and the interest of such remaining amounts of unissued bonds as may hereafter be issued, over and above all other taxes authorized or limited by law, without the board of road commissioners filing a request therefor.

Special tax.

Appropriation of
proceeds of bonds.

SEC. 5. That the money received from the sale of the bonds validated by this act shall be extended by the highway commission of Ashe County, in the manner provided for in chapter thirty-eight of the Public-Local Laws of the session of one thousand nine hundred and twenty-one, as amended by the Public-Local Laws of the special session of one thousand nine hundred and twenty-one, and if otherwise expended by said board, the members of said board shall be personally responsible for said misapplication of funds: *Provided, however,* the purchasers of said bonds shall not be required to see to the application of said funds, and this section shall in no wise be construed to effect the validity of said bonds.

Personal liability
of officers.

Proviso: obligation
of purchasers
divested.

Repealing clause.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 76

AN ACT RELATING TO THE COMPENSATION OF DEPUTY SHERIFFS OF UNION COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter five hundred and sixty-three of the Public-Local Laws of North Carolina of the session of one thousand nine hundred and nineteen be and the same is hereby repealed, and that said chapter of said act be and the same is hereby amended by inserting in lieu of section four the following:

Deputies to collect
and retain fees.

"SEC. 4. That in addition to the amount paid by the sheriff of Union County in employing deputies or assistants, such deputies or assistants shall be allowed to collect and retain all fees, commission and other items which are provided by law for the sheriff, except such fees, commissions and other items accruing on process of any sort in Monroe Township, Union County, North Carolina. That the said sheriff shall furnish the board of county commissioners a monthly itemized statement of all fees, commissions and other items so collected from Monroe Township, and shall turn same over to the county treasurer, and in event the sheriff should fail to collect any fees, commissions or other items provided by law from Monroe Township, as he is required to do, such fees, commissions or other items shall from time to time be deducted by the board of county commissioners from the salary of the sheriff."

Exception.

Monthly statements
and settlements.

Deduction of uncol-
lected fees.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 77

AN ACT RELATING TO UNCLAIMED FEES IN THE HANDS
OF THE CLERK OF THE SUPERIOR COURT OF WAKE
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all moneys due any parties on the civil and criminal judgment docket, except amounts paid under order of court and amounts paid into court for minors, insane persons and nonresidents, which remain in the hands of the clerk of the Superior Court on the first day of January after the publication of a third annual report of said clerk showing the same, shall be turned over to the county treasurer for the use of the school fund of said county as is now prescribed by law for turning over unclaimed moneys due jurors and witnesses.

Funds to be
turned over to
school fund.

SEC. 2. That it shall be the duty of the said clerk to indicate in his said report any moneys held by him for the period embracing the two preceding annual reports.

Moneys to be
indicated by clerk.

SEC. 3. That said funds shall be held and used; subject however to the claim of the rightful owner, in the same manner as now provided by law for holding, using and paying funds due jurors and witnesses.

Use of fund.

SEC. 4. That this act shall apply only to Wake County.

Application of act.

SEC. 5. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 78

AN ACT TO PROVIDE FOR THE CONSTRUCTION AND
MAINTENANCE OF A COUNTY HOME FOR THE AGED
AND INFIRM OF JOHNSTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of procuring a more convenient and commodious location for the county home for the aged and infirm of Johnston County, and for the purpose of erecting and constructing a new and modern building for the comfort, safety and health of the inmates of the county home, the board of commissioners of Johnston County are hereby authorized and fully empowered to bargain, sell, and convey, either for cash or on time, in the discretion of the board of county commissioners, all the lands, premises, buildings and improvements

Sale of present
home.

Conveyance. now belonging to the county of Johnston, and on which the present home for the aged and infirm is now situate. That the chairman of the board of commissioners of Johnston County, under an order of the board of commissioners, is hereby authorized and fully empowered to execute a good and sufficient deed, conveying said land and premises in fee, to the purchaser. That said deed shall be witnessed by the clerk of the board of county commissioners with his seal attached thereto.

Purchase of site. SEC. 2. That for the purpose of securing a suitable site and location, and for the purpose of erecting, building, and constructing thereon a suitable home for the aged and infirm, the board of commissioners of Johnston County are hereby authorized and fully empowered, in the exercise of their discretion and judgment, to purchase and take a deed for a suitable site and to hold said lands, and to erect thereon a suitable and modern building for the comfort, health, and support of the aged and infirm of Johnston County.

Erection of building.

Building fund.

SEC. 3. That for the purpose of purchasing said site and location, and for the purpose of erecting a modern, convenient, and suitable home for the aged and infirm of Johnston County, the board of commissioners of Johnston County are hereby authorized and fully empowered to appropriate, use and spend any moneys on hand remaining of the proceeds derived from the sale of county bonds, known as the courthouse and jail bonds, which may be left in the treasury of Johnston County after complying with the contract of building the courthouse and jail of Johnston County, and after paying all claims arising by virtue of, or under said contract.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 79

AN ACT TO VALIDATE A BOND ISSUE OF SMITHFIELD TOWNSHIP IN JOHNSTON COUNTY.

Preamble: issue of bonds authorized by road trustees.

Whereas the road trustees or commissioners of Smithfield Township in Johnston County have, pursuant to an act of the General Assembly of North Carolina, entitled "An act to provide for the issuing of bonds in Smithfield Township roads, Johnston County," ratified February twenty-fifth, one thousand nine hundred and twenty-one, authorized to be issued fifteen thousand dollars coupon bonds of Smithfield Township bearing interest at the rate of six per centum (6%) per annum, payable semiannually, dated May one, one thousand nine hundred and twenty-

one, and maturing May one, one thousand nine hundred and thirty-six, and, on October twenty-six, one thousand nine hundred and twenty-one, after advertising the sale of said bonds, have received bids for and awarded said bonds to purchasers who agreed to pay therefor par and accrued interest: Now, therefore,

Advertisement of
sale and award of
bonds.

The General Assembly of North Carolina do enact:

SECTION 1. All acts and proceedings done or taken by the said road trustees or commissioners of Smithfield Township, relating to the issuance of said fifteen thousand dollars of bonds, including the resolution authorizing the issuance of said bonds adopted by the said road trustees or commissioners on April eighteenth, one thousand nine hundred and twenty-one, and the award of said bonds on October twenty-sixth, one thousand nine hundred and twenty-one, are hereby legalized and validated and the chairman and secretary of said road trustees or commissioners are hereby authorized and directed to execute and deliver said bonds to the purchasers thereof upon receipt of the purchase price; and the board of commissioners of Johnston County are hereby authorized and directed to levy an annual tax for the purpose of paying the principal and interest of said bonds in accordance with the provisions of said act ratified February twenty-fifth, one thousand nine hundred and twenty-one.

Acts and proceed-
ings legalized.

Execution and
delivery of bonds
directed.

Special tax.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 80

AN ACT RELATING TO A COTTON WEIGHER AND GRADER FOR CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That a cotton weigher and cotton grader, together with sufficient land, building, scales, and the other things herein-after determined, are hereby declared to be a necessity for the county of Cumberland, and the county commissioners therein are hereby fully authorized and empowered to raise the money necessary to carry into effect the provisions of this act.

Declaration of
public necessity.

Authority to
county commis-
sioners.

SEC. 2. That the commissioners of Cumberland County are authorized and directed forthwith to acquire land in the city of Fayetteville for the county on which there shall be erected a cotton platform with proper and adequate scales for weighing baled lint cotton, and on which land they shall also cause to be erected a building in which shall be the office of the weigher and

Land for cotton
platform.

Scales.

Office of weigher
and grader.

Room for storage of samples.	grader together with so much room as may be necessary to keep or store from time to time samples of the various grades of lint cotton, in accordance with the standards which are now or may be hereafter established by the secretary of agriculture by virtue of any act of Congress. A safe place shall also be provided therein for the records hereinafter mentioned. The Cumberland County Board of Agriculture shall provide the plans for and superintend the erection of the platform and building aforesaid.
Place for records.	<p>SEC. 3. That the Cumberland County Board of Agriculture shall appoint some competent person as public cotton weigher for Cumberland County, whose duties shall be to weigh all cotton sold, offered for sale, or storage in the county of Cumberland, except cotton purchased outside of Cumberland County and shipped into Cumberland County. Baled cotton transported to Cumberland County by common carrier for sale or storage shall be weighed by said public weigher at said platform, place of storage, or place of delivery, the seller or the purchaser of such cotton to give notice to said weigher twenty-four hours prior to the time same is to be weighed at a point other than the platform: <i>Provided</i>, that such shipment of cotton has not been previously weighed and graded by a bonded weigher and government grader.</p>
Plans and superintendence.	
Appointment of cotton weigher.	
Duties.	<p>SEC. 4. That the term of the first weigher appointed as aforesaid shall expire on the thirty-first day of August, one thousand nine hundred and twenty-two, and thereafter the term of said weigher shall be for one year commencing September first.</p>
Cotton brought in for sale or storage.	
Proviso: cotton already weighed.	
Term of weighers.	<p>SEC. 5. That before entering upon the discharge of his duties, the said weigher shall take, subscribe and file the oath provided by law, and shall give bond payable to the State of North Carolina in the sum of one thousand dollars (\$1,000), with sufficient surety to be approved by the Cumberland County Board of Agriculture, conditioned for the faithful performance of his duties, which bond, after being so approved, shall be filed with and kept by the clerk of the Superior Court in said county.</p>
Weigher to qualify and give bond.	
Custodian of bond.	
Cotton weigher not an officer.	<p>SEC. 6. That the position of cotton weigher herein provided for shall not constitute an office within the meaning of Article seven, section fourteen, of the Constitution of North Carolina.</p>
Scale fees.	
Record of cotton weigher.	
Each bale numbered and tagged.	<p>SEC. 7. That there shall be paid to said weigher, as full compensation for his services, for each bale so weighed five cents (5c) by the owner or seller, and five cents (5c) by the purchaser or storer, at the time the same is weighed, unless otherwise fixed by the board of agriculture of Cumberland County.</p> <p>SEC. 8. That it shall be the weigher's duty to keep record of all cotton weighed, showing the names of the owner or seller and buyer or storer, and he shall assign a separate number to each bale weighed by him in consecutive order, beginning with number one and shall properly indicate on each bale, by tag or otherwise, the number and weight of the bale.</p>

SEC. 9. That the said cotton weigher may appoint one or more assistants or deputies in the discharge of his duties in the said position, but the cotton weigher shall be responsible on his said bond for the acts of such person or persons so appointed by him.

Assistants and
deputies.

SEC. 10. That said weigher shall also keep a book in which every person offering for sale baled lint cotton in the county of Cumberland shall register therein his name and the name of the owner of such cotton, and the postoffice addresses, which book or register shall be safely kept by the cotton weigher and open to inspection of the public during business hours.

Register of sellers.

Register open for
inspection.

SEC. 11. That the board of commissioners and the board of agriculture of Cumberland County shall coöperate with the North Carolina Department of Agriculture and the North Carolina State College of Agriculture and Engineering, either or both, for the purpose of securing an expert cotton grader, provided for by article seventeen, of chapter eighty-four of the Consolidated Statutes of North Carolina; and in the event that the services of such expert cotton grader are secured at Fayetteville for Cumberland County, then all baled lint cotton offered for sale or storage in Cumberland County shall be first graded by him, a record of all cotton so graded to be kept by such expert grader, the grade to be shown on each bale by tag or otherwise.

Cooperation in
securing grader.

Cotton to be
graded.

Record of grade.

SEC. 12. That for the purpose of raising sufficient funds to reimburse the county of Cumberland for the moneys paid for the expert cotton grader aforesaid, the Cumberland County Board of Agriculture shall affix from season to season an amount to be paid on each bale of cotton sold in Cumberland County, and the amount so fixed shall be deducted by the purchaser from the sales price and held by him in trust and paid over monthly on the first day of the month to the treasurer of Cumberland County.

Charges for
grading.

SEC. 13. That for the purpose of paying the interest on the moneys advanced by the county for the land, building, scales, records, and other things hereinbefore provided for, and creating a sinking fund for the repayment to the county of the principal amount of the moneys advanced as aforesaid, within ten years, the said county board of agriculture shall likewise fix, from season to season, a sum which shall be retained by the purchaser out of the sales price on each bale, and which purchaser shall likewise hold the same in trust and pay over to the county treasurer as in the preceding section provided.

Deduction from
sales for repay-
ment to county.

SEC. 14. That every person buying cotton in Cumberland County shall be governed by the weights and grades fixed by the weigher and grader hereinbefore mentioned, and settlement made in accordance with this act.

Buyers governed
by weights and
grades.

SEC. 15. That the records of said cotton weigher, and expert cotton grader, either or both, or a copy of such record, sworn and subscribed by either or both said weigher and grader, shall

Records received
in evidence.

Prima facie
evidence.

Violation of act
misdemeanor.

be receivable in evidence in any court, and the numbers, weights, and grades therein mentioned taken as *prima facie* true.

SEC. 16. That any person, firm or corporation violating any of the provisions of this act shall be guilty of misdemeanor.

SEC. 17. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 81

AN ACT RELATING TO THE OPERATION OF MOTOR VEHICLES IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Operation without
muffler or with
open cut-out
forbidden.

Misdemeanor.

Punishment.

SECTION 1. That no person shall operate upon the public highways in Cumberland County a motor vehicle without a muffler, or with the muffler cut-out open.

SEC. 2. Any person violating this act shall be guilty of a misdemeanor, and upon conviction, fined not exceeding fifty dollars (\$50), or imprisoned for not exceeding thirty (30) days.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 82

AN ACT TO PROHIBIT THE TRAPPING FOR BEAR OR OTHER GAME WITH STEEL OR METAL TRAPS IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Bear traps.

SECTION 1. That it shall be unlawful to trap for bear or other game with steel or metal traps, commonly known as "bear traps," in Jackson County.

Misdemeanor.

Punishment.

SEC. 2. That any person or persons violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten dollars, nor more than twenty-five dollars, or imprisoned not less than ten days, nor more than twenty-five days, or both fined and imprisoned, in the discretion of the court.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 83**AN ACT TO AMEND CHAPTER 113, PUBLIC LAWS OF 1921,
RELATING TO THE FEES OF JUSTICES OF THE PEACE
IN PAMLICO COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That section two, chapter one hundred and thirteen, Law extended.
Public Laws of one thousand nine hundred and twenty-one, be
and the same is hereby amended by inserting in line eight between
the word "Jones" and the word "and" the word "Pamlico."

SEC. 2. That all laws and clauses of laws in conflict with the Repealing clause.
provisions of this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its
ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 84**AN ACT TO REPEAL CHAPTER 529, PUBLIC-LOCAL LAWS,
SESSION 1917, RELATING TO RICHARDSON'S CREEK IN
RUTHERFORD COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and twenty-nine (529) Law specifically
of the Public-Local Laws, session one thousand nine hundred and repealed.
seventeen, be and the same is hereby repealed.

SEC. 2. That this act shall be in full force and effect from and
after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 85**AN ACT TO AMEND CHAPTER 113, PUBLIC LAWS 1921,
AMENDING SECTION 3923 OF THE CONSOLIDATED
STATUTES, INCREASING THE FEES OF JUSTICES OF
THE PEACE IN ONSLOW COUNTY.**

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter one hundred and thir- Law extended.
teen, Public Laws one thousand nine hundred and twenty-one, be
amended by inserting in line six between the words "Mitchell" and
"Orange," the word "Onslow."

SEC. 2. That this act shall be in force from and after its
ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 86

AN ACT TO FIX THE COMPENSATION OF THE MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Per diem.

SECTION 1. That the members of the board of county commissioners of Jackson County shall each receive the sum of five dollars per day on the days of their meetings, and in addition thereto they shall be paid mileage as now allowed by law.

Mileage.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 87

AN ACT TO AMEND CHAPTER 578 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1921, RELATING TO THE FEES OF THE SHERIFF IN BERTIE COUNTY.

The General Assembly of North Carolina do enact:

Bertie County
stricken out.

SECTION 1. That chapter five hundred and seventy-eight of the Public-Local Laws of North Carolina, session one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out the word "Bertie" in line two of section two thereof.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 88

AN ACT TO VALIDATE AND AUTHORIZE THE ISSUANCE OF \$150,000 McDOWELL COUNTY COURTHOUSE BONDS AND TO PROVIDE A SUFFICIENT TAX FOR THE PAYMENT OF PRINCIPAL AND INTEREST THEREOF.

The General Assembly of North Carolina do enact:

Advertisement and
sale ratified.

SECTION 1. That the advertisement of sale of one hundred and fifty thousand dollars (\$150,000) six per cent (6%) courthouse bonds of McDowell County, dated December first, one thousand

nine hundred and twenty-one, maturing December first, one thousand nine hundred and fifty-one, without option of prior payment, principal and interest payable in New York City, and the contract of sale thereof at par and a premium, are hereby ratified, and when said bonds shall be delivered and the agreed price paid therefor, they shall constitute valid obligations of McDowell County. Valid obligations.

SEC. 2. That it shall be lawful, with the consent of the board of county commissioners and the purchasers of said bonds, to issue said bonds bearing the rate of five and three-fourths per cent ($5\frac{3}{4}\%$) or five and one half per cent ($5\frac{1}{2}\%$) interest, the price to be paid for said bonds to be correspondingly reduced so that as computed upon standard tables, the net interest return, or basis price, to the holders of said bonds, shall not be greater than the net interest return, or basis price, which bonds bearing six per cent (6%) interest would yield at the price for which said six per cent (6%) bonds were sold. Reduction of interest rate.

SEC. 3. That in each year while any of said bonds shall be outstanding, it shall be the duty of the board of county commissioners to levy a direct annual tax upon all taxable property in McDowell County over and above all other authorized or limited by law, sufficient to pay the interest upon said bonds as the same shall fall due, and to create a sinking fund for their retirement at maturity. Special tax.

SEC. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 89

AN ACT TO AMEND SECTIONS 2109 AND 2114 OF THE CONSOLIDATED STATUTES, RELATING TO THE CLOSED SEASON FOR DEER AND SQUIRREL IN HALIFAX COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand one hundred and nine of the Consolidated Statutes be and the same is hereby amended by striking out the words "March one to November fifteen" occurring after the word "Halifax," and inserting in lieu thereof the words "February one to September one," making the closed season for hunting deer in Halifax County from February one to September one. Close season for deer.

SEC. 2. That section two thousand one hundred and fourteen of the Consolidated Statutes be and the same is hereby amended by striking out the words "March one to November fifteen" occurring Close season for squirrels.

after the word "Halifax" and inserting in lieu thereof the words "September one to February one," making the closed season for hunting squirrel in Halifax County from February one to September one.

SEC. 3. That this act be in force from and after its ratification. Ratified this the 15th day of December, A.D. 1921.

CHAPTER 90

AN ACT TO AMEND CHAPTER 120, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, EXTRA SESSION OF 1920, AMENDATORY OF CHAPTER 328 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1919, RELATING TO A SYSTEM OF WORKING THE ROADS OF BERTIE COUNTY, AND TO FURTHER AMEND CHAPTER 328 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1919, RELATING TO WORKING THE ROADS OF BERTIE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and twenty of the Public-Local Laws of North Carolina, extra session of one thousand nine hundred and twenty, amending chapter three hundred and twenty-eight of the Public-Local Laws of North Carolina, session one thousand nine hundred and nineteen, be and the same is hereby amended as follows:

Tax rates.

(a). By striking out all of subsections (b), (c), (d), and (e) of section one thereof. (b). By striking out all of section two thereof after the word "ratification" and in lines one and two therein.

SEC. 2. That section twenty-five of chapter three hundred and twenty-eight of the Public-Local Laws of North Carolina, session one thousand nine hundred and nineteen, be and same is hereby amended so as to hereafter read as follows:

County commissioners to levy tax.

"SEC. 25. For the purpose of providing an adequate fund for the proper construction, improvement, and maintenance of the public roads and bridges of the county, and in lieu of all other special road taxes heretofore authorized to be levied therein, the board of county commissioners of Bertie County shall, at their regular meeting in June of each and every year hereafter, levy a special tax on all property subject to taxation under the State law, in said county at such rate as the board of road commissioners of said county may request, which shall be not less than twenty cents nor more than fifty cents on the one hundred dollars (\$100) worth of property, which taxes shall be collected under the same rules, penalties, and regulations and in the same manner as other county taxes are collected, and shall be paid to

Tax rate.

Collection.

Settlement.

the county treasurer by the sheriff or other collector, who shall keep the same in a separate fund known as a special road fund to be used in construction, improvement, and maintenance of the public roads and bridges of the county and for the purchase of material, implements, teams, wagons, camp outfit, road machinery, and for such other and further purposes as the said board of road commissioners of the county may deem necessary for properly carrying out the provisions of this act." Special road fund.

SEC. 3. That section seventeen of chapter three hundred and twenty-eight of the Public-Local Laws of North Carolina, session one thousand nine hundred and nineteen, be and the same is hereby amended by adding after the word "roads" and before the word "to" in line five thereof, the following: "or any other lands in said county." Road materials.

SEC. 4. This act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 91

AN ACT TO AUTHORIZE NUMBER SIX TOWNSHIP, CLEVELAND COUNTY, TO ERECT AND OWN A PUBLIC HOSPITAL AND ISSUE BONDS THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Cleveland County shall at their first regular meeting in January, one thousand nine hundred and twenty-two, order an election to be held in and for Number Six Township, said county, on a date to be fixed by said board, to ascertain the will of the qualified voters of said township, upon the question of said Number Six Township, Cleveland County, erecting and owning a public hospital, and issuing bonds in an amount not exceeding one hundred thousand dollars (\$100,000) therefor, and levying and collecting a tax sufficient to pay the principal and interest thereof. County commissioners to order election.

SEC. 2. That at the time of ordering the said election said board of county commissioners shall order a new registration for said township, which registration shall be for said election only, and shall appoint a registrar and two judges of election for each voting precinct in said township and shall publish notice of the time of said election and the purpose of same for at least four successive weeks immediately preceding the same, in some one or more newspapers published in said township. That said new registration shall be made and said election held as is now provided by law for the election of members of the General Assembly, except that said registrars and judges of election shall make New registration.

Election of officers.
Notice of election.

Law governing registration and election.

Return of votes.

Canvass and
declaration of
result.

Ballots.

report of the vote cast in their several precincts at said election, together with the number of the duly registered and qualified electors in their said precincts, to the board of county commissioners of Cleveland County at their first meeting after said election, and said board of commissioners shall canvass the votes and declare the result of said election.

SEC. 3. That at said election those favoring the erection and owning of a public hospital and the issuance of bonds therefor in an amount not exceeding one hundred thousand dollars (\$100,000) and the levy and collection of a tax sufficient to pay the interest on said bonds and the principal thereof at maturity, by said Number Six Township, Cleveland County, shall vote a ballot with the words "For Hospital" written or printed thereon; and those opposed to same shall vote a ballot with the words "Against Hospital" written or printed thereon.

Bond issue.

SEC. 4. That if a majority of the qualified voters of Number Six Township vote at said election "For Hospital," then the board of county commissioners of Cleveland County shall issue the bonds of said Number Six Township, Cleveland County, in amount requested by the board of trustees of said hospital, not exceeding one hundred thousand dollars (\$100,000) and shall sell said bonds and deposit the funds received therefor with the treasurer of Cleveland County, who shall keep same in a separate account and used exclusively for the purposes provided in this act; and the bonds so issued and sold shall constitute an unconditional charge against said Number Six Township, Cleveland County, and the board of county commissioners of Cleveland County shall annually thereafter, at the time of levying other taxes, levy a sufficient tax upon the taxable property and polls in said Number Six Township, to create a fund sufficient to pay the interest on said bonds as same accrues and create a sinking fund sufficient to pay the principal of said bonds as same becomes due, and it shall be the duty of the sheriff or tax collector of Cleveland County to collect the tax so levied in the same manner as other taxes and turn the same over to the treasurer of Cleveland County to be kept in a separate fund, and with same the treasurer of Cleveland County shall pay the interest on said bonds as same accrues, and the principal of said bonds as same becomes due, which services shall be rendered by the sheriff or tax collector and the treasurer of Cleveland County, without extra compensation.

Amount.

Sale of bonds
and deposits of
proceeds.

Specific appro-
priation.

Special tax.

Collection and
settlement of tax.

Treasurer to pay
interest and bonds.

Denominations of
bonds.
Interest.

Maturity.

SEC. 5. That the bonds issued under this act shall be in denomination of one thousand dollars (\$1,000) and shall bear interest at a rate of not exceeding six per cent per annum, payable semiannually, and both principal and interest shall be payable at such place and such times, not exceeding forty years from date thereof, as may be fixed by the board of county commissioners of Cleveland County.

SEC. 6. That the hospital and sanatorium established pursuant to this act shall be known as the "Shelby Hospital," and by that name may sue and be sued, contract and be contracted with, purchase, hold and acquire, real estate, receive gifts, donations, grants, devises and bequests, of both real and personal property, and do all and everything necessary for the proper conduct and management of a hospital and sanatorium.

Name of hospital.
Corporate rights.

SEC. 7. That the location, construction, equipment and complete control and management of the said Shelby Hospital shall be vested in a board of trustees, composed of fifteen citizens of said Number Six Township, some of whom shall be women, and all of whom shall be appointed by the mayor and board of aldermen of the town of Shelby at a meeting to be held within ten days after said bond election, and the said trustees shall be divided into three groups of five each, and the members of the first group shall serve until January first, one thousand nine hundred and twenty-three, the second group until January first, one thousand nine hundred and twenty-five, and the third group until January first, one thousand nine hundred and twenty-seven; and at each general election hereafter five citizens of Number Six Township shall be elected by the voters of said township as trustees of said Shelby Hospital to serve for a term of six years and until their successors are duly elected and qualified. That said trustees shall serve without compensation, but this provision shall not prevent members of said board from receiving reasonable compensation for any other services rendered said hospital.

Management of hospital.

Appointment of trustees.

Terms.

Election of successors.

Compensation.

SEC. 8. That the board of trustees of the Shelby Hospital, upon their appointment, and thereafter following each election, shall meet and organize by electing from among their number a president, and shall elect a secretary and a treasurer, or one person as a secretary-treasurer, and such other officers and committees as said board may deem best; and said board of trustees shall without delay select and acquire a site and erect thereon a hospital and equip the same, issuing orders on the treasurer of Cleveland County in payment of the cost of same, which said orders shall be paid by said county treasurer out of the funds in his hands derived from the sale of said bonds.

Organization of trustees.

Selection of site.

Erection and equipment of hospital.

Payment of cost.

SEC. 9. That the operation and management of the said Shelby Hospital shall be under the control of its said board of trustees, and said board may make and prescribe by-laws and general regulations and rules governing the same; that the treasurer of said board shall give a bond in amount fixed by said board, and shall receive all moneys obtained by the operation of said hospital, or otherwise, and pay out the same under the orders of the board of trustees; and such surplus as may be in the hands of said treasurer from the operation of said hospital on the first day of January of each and every year, may, by order of the board of trustees,

Operation and management.

By-laws, rules and regulations.

Treasurer to give bond.

Schedule of duties.

Surplus to sinking fund.

Training school
for nurses.

Rules and
regulations.

be paid to the treasurer of Cleveland County, to be applied to the sinking fund for the retirement of the bonds issued under this act.

SEC. 10. That the board of trustees of said Shelby Hospital may establish and maintain, in connection therewith and as a part of said hospital, a training school for nurses.

SEC. 11. That the said Shelby Hospital, the grounds of same, and all furniture, equipment, and property thereof, and the physicians, nurses, attendants, persons sick therein, and all persons approaching or coming within the limits of said hospital shall be subject to such rules and regulations as said board of trustees may prescribe.

SEC. 12. This act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 92

AN ACT TO AMEND SECTION 2117 OF THE CONSOLIDATED STATUTES, RELATING TO THE CLOSED SEASON FOR WILD TURKEYS IN PENDER COUNTY.

The General Assembly of North Carolina do enact:

Close season.

SECTION 1. That section two thousand one hundred and seventeen of the Consolidated Statutes be and the same is hereby amended by striking out the words "March one to December one" occurring after the word "Pender" and inserting in lieu thereof the words "February sixteen to November fifteen."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 93

AN ACT TO AMEND CHAPTER 577, PUBLIC-LOCAL LAWS OF 1921, SO AS TO CONSTITUTE THE TREASURER OF THE CENTRAL HIGHWAY COMMISSION OF PERSON COUNTY THE LEGAL CUSTODIAN OF THE ROAD FUNDS OF SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred seventy-seven, Public-Local Laws of one thousand nine hundred and twenty-one, entitled "An act to fix the fees and compensation of the clerk of the Superior Court, sheriff, register of deeds, treasurer, county commissioners, and jurors of Person County," be and the same is hereby amended by adding at the end of section six thereof the following

words: "Nothing contained in this section shall apply to funds collected by the sheriff, tax collector, or other officer or person under any local or general statute for the purpose of building, maintaining, or repairing the roads of said county, or for the purpose of paying principal or interest of bonds or notes issued by said county for road purposes, or for any other purpose incident to the duties and powers of the Central Highway Commission of said county."

Section not applicable to road funds.

SEC. 2. That all money raised by taxation or otherwise for road purposes in said county under the several local statutes and under the general law shall be paid over by the officer or other person collecting same to the treasurer of the Central Highway Commission of said county, by whom it shall be paid out upon the warrants of said commission.

Collectors to pay over to treasurer of highway commission.

SEC. 3. That the treasurer of Person County is hereby authorized, and it shall be his duty, to pay over to the treasurer of the Central Highway Commission of said county all funds now in his hands collected from any source for road purposes, including funds derived from the levy and collection of taxes for building, repairing, and maintaining the roads of said county, and for the payment of principal or interest of bonds issued by said county for road purposes, and the receipt of the treasurer of said highway commission shall constitute a valid voucher therefor.

Road funds heretofore collected.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 94

AN ACT TO AMEND SECTION 2116 OF THE CONSOLIDATED STATUTES, RELATIVE TO THE CLOSE SEASON FOR QUAIL OR PARTRIDGE IN POLK AND RUTHERFORD COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That section two thousand one hundred and sixteen of the Consolidated Statutes be and the same is hereby amended by striking out the words "February fifteen to December one" occurring after the word "Polk" and inserting in lieu thereof the words "February fifteen to November fifteen."

Close season.

SEC. 2. That section two thousand one hundred and sixteen of the Consolidated Statutes be and the same is hereby amended by striking out the words "February fifteen to December one" occurring after the word "Rutherford" and inserting in lieu thereof the words "February fifteen to November fifteen."

Close season.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 95

AN ACT TO PREVENT THE DEPREDACTION OF DOMESTIC FOWLS IN PERSON COUNTY.

The General Assembly of North Carolina do enact:

Domestic fowls on cultivated land or gardens.

SECTION 1. That it shall be unlawful for any person in the county of Person, where the stock law prevails, to permit any turkeys, geese, chickens, ducks, or other domestic fowls to run at large, after being notified as in section two of this act, on the lands of any other person while such lands are under cultivation in any kind of grain or feedstuff, or while being used for gardens or ornamental purposes.

Misdemeanor.

SEC. 2. That any person so permitting his fowls to run at large, after having been notified to keep them up, shall be guilty of a misdemeanor, and upon conviction shall be fined not exceeding five dollars or imprisoned not exceeding five days, or if it shall appear to any justice of the peace that after two days notice any person persists in allowing his fowls to run at large and fails or refuses to keep them upon his own premises, then the said justice of the peace may in his discretion order any sheriff, constable, or other officer to kill said fowls when so depredating.

Order for killing depredating fowls.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 96

AN ACT TO AUTHORIZE PERSON COUNTY TO ISSUE AND SELL ROAD BONDS.

Preamble: bonds heretofore authorized.

Whereas the General Assembly of one thousand nine hundred and seventeen, chapter seventy-four, Public-Local Laws, authorized Person County to issue and sell two hundred and twenty-five thousand dollars road improvement bonds for building roads, stipulating that twenty-five thousand dollars thereof should be expended in each of the nine townships of said county; and

Condition.

Issue and sale of bonds and expenditure of proceeds.

Whereas said bonds have been issued and sold, and the money has been used and expended by the Central Highway Commission of Person County in the several townships thereof in accordance with the act of the General Assembly, save and except with respect to Mount Tirzah Township, in which township there has been expended the sum of ten thousand dollars, and in which township it has been determined by the authorities to build no more roads with said fund until a certain road projected by the State, connecting the county-seats of Granville and Person counties, and traversing Mount Tirzah Township, is built, for the reason that it is

planned by the local authorities to connect the next road built in said township by the county with the said State Highway traversing said township when same is constructed; and

Whereas the balance of the money arising from said bond issue due to be expended in Mount Tirzah Township will therefore not be needed for that purpose within probably two or three years;

Whereas, under the authority of chapter fifty-three of Public-Local Laws of one thousand nine hundred and twenty, the Central Highway Commission of Person County has borrowed the additional sum of three hundred thousand dollars, and has expended same in building other roads in Person County, according to the provisions of said act, and without reference to township lines, one of which roads is a highway leading across said county from the northeast corner near Virgilina, Virginia, to the southwest corner near Prospect Hill, in Caswell County, North Carolina, and designed to form a link in the highway leading from Washington, D. C., south by way of Greensboro; and

Whereas, when the said road lacked some three or four miles of completion, it was discovered that it would be necessary, in order to complete it, to use all of the road money in hand, including the sum of fifteen thousand dollars due to be expended in Mount Tirzah Township; and

Whereas the Central Highway Commission of Person County has contracted for the completion of said road and work thereon is now in progress: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the Central Highway Commission of Person County be and it is hereby authorized and empowered to use and employ so much of the money in its hands to the credit of Mount Tirzah Township as may be necessary for the completion of the so-called Prospect Hill-Virgilina Highway, and if any of said money has been so expended before the passage of this act the same is hereby ratified and declared lawful.

SEC. 2. That the Central Highway Commission of Person County shall hereafter at the proper time use and expend so much as may be necessary of the general county road fund, except maintenance funds, in the construction of additional permanent roads in Mount Tirzah Township in said county so as to make out the full sum of twenty-five thousand dollars expended in said township, including such sum or sums as may have been heretofore expended therein for permanent road construction under the provisions of chapter seventy-four, Public-Local Laws of one thousand nine hundred and seventeen. Or the said Central Highway Commission of Person County may, in its discretion, and it is hereby authorized and empowered to, issue and sell bonds of said county in a sufficient amount not exceeding fifteen thousand dollars, to make up whatever may be necessary for said purpose:

Preamble: additional sum borrowed.

Expenditure.

Preamble: exhaustion of fund.

Preamble: contract.

Use of funds authorized.

Expenditure ratified.

Additional roads for Mt. Tirzah Township.

Further bond issue authorized.

Proviso: specific appropriation.

Proviso: obligation of purchasers divested.

Advertisement of sale of bonds.

Place of payment.

Bonds and coupons numbered.

Authentication.

Entitlement of bonds.

Maturity.

Interest.

Resolution for bond issue certified to county commissioners.

Special tax.

Collection and settlement of tax.

Specific appropriation.

Highway commission to see to levy and collection of tax.

Provided, however, that the proceeds of the sale of said bonds shall not be used for any purpose other than authorized by this act: *Provided further,* that it shall not be the duty of the purchaser or purchasers of said bonds to see to the application of said proceeds.

SEC. 3. That none of the bonds authorized under this act shall be sold without advertising that sealed bids will be received for the same in a newspaper published in Person County at least ten days before the date mentioned in such advertisement for the receipt of sealed bids.

SEC. 4. That the bonds herein provided for and interest thereon shall be payable at such place or places as the Central Highway Commission may receive. The bonds shall be numbered consecutively, and the coupons to each bond shall bear the number of the bond to which it is attached, as well as the number of the coupon; and both bonds and coupons shall be signed by the chairman of the Central Highway Commission and countersigned by the register of deeds, and the seal of said county of Person shall be affixed to each of said bonds by said register of deeds. The bonds issued under the provision of this act shall be entitled "Person County Road Improvement Bonds"; they shall mature at such time or times, not exceeding forty years from the date of issue, as the said Central Highway Commission of Person County shall by resolution fix, and shall bear interest at a rate not exceeding six per cent per annum, payable semiannually.

SEC. 5. That it shall be the duty of the Central Highway Commission, upon its issuance of bonds hereunder, to certify to the board of county commissioners of Person County a copy of the resolution authorizing said bonds, and containing a statement of the date thereof and the maturities of principal and interest and the rate of interest and the amount of such bonds, and it shall thereafter be the duty of the board of county commissioners in each year while any of said bonds shall be outstanding, without further certification of the Central Highway Commission, to levy upon all taxable property of Person County a sum sufficient to meet the interest upon said bonds as the same shall fall due and to retire the principal thereof at maturity, which tax shall be collected by the sheriff or tax collector of said county, and be paid over by him to the treasurer of the Central Highway Commission, and be used for no other purpose than the payment of principal and interest of the said bonds until all thereof shall have been paid.

SEC. 6. That notwithstanding the duty of the board of county commissioners as provided by section five of this act to make an annual levy of taxes sufficient for the payment of interest and principal at maturity, without further certification of the Central Highway Commission, it shall nevertheless be the duty of such commission to see that said taxes are annually levied and col-

lected, by mandamus if necessary, and to see that the funds so collected are conserved for the purpose of paying interest and principal as the same shall mature, or the creation of a sinking fund, the said sinking fund to be held, managed, controlled, and invested by the said commission at its discretion, and it may appoint a trustee for said fund who shall manage the same under the direction of the said Central Highway Commission; and it may in its discretion from time to time use the said sum to purchase in open market bonds issued and sold under the provisions of this act.

Conservation
of fund.

Management
of fund.

Purchase of bonds.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 97

AN ACT TO REGULATE THE FEES FOR SERVING STATE WARRANTS, CIVIL SUMMONSES, AND SUBPŒNAS, FOR VANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees for serving State warrants, civil summonses, and subpœnas in Vance County shall be as follows:

Fees for service.

For serving State warrants.....	\$1.50	State warrants.
For serving civil warrants.....	1.00	Civil warrants.
For serving subpœnas.....	.50	Subpœnas.

SEC. 2. That this act shall apply only to Vance County.

Application of act.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 98

AN ACT TO AUTHORIZE THE COMMISSIONERS OF SWAIN COUNTY TO LEVY A TAX FOR THE SUPPORT OF THE COUNTY POOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Swain County be and it is hereby authorized and empowered to levy an annual tax not to exceed five cents on each one hundred dollars valuation on all the taxable property in said county for the purpose of creating a fund for the support of the county home for the poor and for the relief of such aged and infirm poor or indigents who may become county charges outside of the county home.

Tax authorized.

Rate.

Purpose.

Levy and
settlement.

Specific
appropriation.
Repealing clause.

SEC. 2. Said tax shall be levied at the same time and in the same manner and shall be accounted for as other county taxes, and shall not be used for any other purpose than herein set forth.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 99

AN ACT TO AMEND CHAPTER 345, PUBLIC-LOCAL LAWS OF 1915, KNOWN AS THE WILKES COUNTY ROAD LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and forty-five of the Public-Local Laws of one thousand nine hundred and fifteen be and the same is hereby amended by striking out all of section fifteen thereof and by inserting in lieu thereof the following:

Assessment of
charges for
material.

"SEC. 15. That in case stone, gravel, sand, clay, soil, rock, or other material shall be taken as aforesaid from any land and the owner or the agent or agents of said owner having in charge such land or lands cannot agree with the good roads commission or with the superintendent of roads, or the duly authorized agents or employees of said good roads commission or superintendent of roads, as to a fair and just compensation therefor, said owner or the agent or agents of said owner having in charge said lands may apply to the clerk of the Superior Court within sixty days from the taking of such materials, as aforesaid, whose duty it shall be to appoint a jury of three competent and disinterested freeholders, who, after being duly sworn, shall repair to such lands and assess the damages accruing to the owner by reason of the taking of such stone, gravel, soil, sand, clay, rock, or other material, taking into consideration all benefits, special and general, accruing to the property by reason of the construction or repair of the road or roads on which said material has or may be used, subtracting such benefits from the damages found by them, and the result shall be their verdict: *Provided*, the owner or his agent may, upon giving an undertaking to be approved by the clerk of the Superior Court for the costs, appeal from said verdict to the Superior Court; but said good roads commission, through its superintendent, surveyor, or other duly authorized employee, shall not be prevented from entering upon any lands as aforesaid and using material as aforesaid at any time desired, whether the claim of the owner is made prior to or before the entry upon said land for said material.

Benefits con-
sidered.

Proviso: right
of appeal.

Entry on land.

SEC. 2. That all laws and clauses of laws in conflict with this Repealing clause, act are hereby repealed.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 100

AN ACT TO REPEAL CHAPTER 33 OF THE PUBLIC LAWS OF THE EXTRA SESSION IN 1920, AND TO AMEND CHAPTER 505 OF THE PUBLIC-LOCAL LAWS OF 1917, RELATING TO THE SALARY OF SHERIFF OF HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. "That chapter thirty-three of the Public Laws of the Specific repeal, extra session of one thousand nine hundred and twenty be and the same is hereby repealed.

SEC. 2. That section four of chapter five hundred and five of Salary of sheriff, the Public-Local Laws of one thousand nine hundred and seventeen be and the same is hereby amended by striking out the word "twelve" in line seven of said section and inserting in lieu thereof the word "fifteen."

SEC. 3. That all laws and clauses of laws in so far as they may Repealing clause, conflict with this act are hereby repealed.

SEC. 4. That this act shall be in force and effect from and When act effective, after the first Monday in December, one thousand nine hundred and twenty-two.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 101

AN ACT TO AMEND CHAPTER 383, PUBLIC-LOCAL LAWS 1921, BEING AN ACT TO CREATE A HIGHWAY COMMISSION FOR THE COUNTY OF MECKLENBURG.

The General Assembly of North Carolina do enact:

SECTION 1. That section four of chapter three hundred and eighty-three, Public-Local Laws, session one thousand nine hundred and twenty-one, be and the same is hereby amended by changing the period to a colon in line fifteen of said section, between the words "Carolina" and "the," and inserting the following: "Provided, that in extraordinary cases when a county high- Proviso: work on streets, way shall run through any city or town of less than three thou-

sand inhabitants, according to the last United States census, and when, in the opinion of the Mecklenburg highway commission, conditions justify it, said commission may in its discretion construct said highway and pay a portion of or the entire cost of same."

SEC. 2. That section fourteen of said chapter three hundred and eighty-three, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting in line four thereof, between the words "each year" and "levy" the following: "or at the time other taxes are levied." That said section fourteen be and the same is hereby further amended by inserting after the words "under said act" in line twelve of said section and before the words "upon all property subject to taxation," the words "and except the special tax authorized by chapter one hundred and three, Public Laws of one thousand nine hundred and nineteen, and amendments thereto, for the purpose of paying the principal and interest of bonds to be issued under said chapter one hundred and three and amendments, and except the special tax authorized in Senate Bill number one hundred, special session one thousand nine hundred and twenty-one, for the purpose of paying the principal and interest of notes issued thereunder."

Levy of taxes.

Taxes excepted.

Purpose defined.

The purpose of this amendment being the removal of tax limitations upon bonds to be issued by Mecklenburg County under said chapter one hundred and three, as amended, and the notes authorized to be issued in Senate Bill number one hundred, special session one thousand nine hundred and twenty-one, and to provide that such taxes shall not be counted as a part of the taxes limited by section fourteen of the act hereby amended.

SEC. 3. This act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 102

AN ACT TO AMEND AND CORRECT SECTION (f), CHAPTER 578 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1921.

The General Assembly of North Carolina do enact:

Amendment.

SECTION 1. That section (f), chapter five hundred and seventy-eight of the Public-Local Laws of North Carolina of one thousand nine hundred and twenty-one be amended by striking out the word "thirty" in line twelve and inserting in lieu thereof the word "fifty."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 103

AN ACT TO AMEND SECTION 3908 OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA, RELATIVE TO CERTAIN FEES COLLECTED BY THE SHERIFF OF WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section three thousand nine hundred and eight be amended by adding at the end of line seventy-seven of said section: "*Provided*, that this shall not apply to the sheriff of Wake County, who shall receive one dollar for every execution, either in civil or criminal cases." Proviso: fees for executions.

SEC. 2. That this act shall apply only to the county of Wake. Application of act.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 104

AN ACT TO AMEND CHAPTER 227 OF PUBLIC-LOCAL LAWS OF 1921, RELATING TO SALE OF COUNTY PROPERTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and twenty-seven of the Public-Local Laws of the session of one thousand nine hundred and twenty-one be amended by striking out at the end of said section the following words: "with a provision thereon that said land shall revert to the grantor upon discontinuing its use for such purposes by the grantee." Provision for reversion rescinded.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 105

AN ACT TO AMEND SECTION 1, CHAPTER 803 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA OF 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section one, chapter eight hundred three of the Public-Local Laws of North Carolina of one thousand nine hundred thirteen be amended by striking out all of said section after the word "following" in line twelve, and by inserting in lieu thereof the following: "All taxes collected in their respective Commission on taxes.

Proviso: Raleigh
Township.

townships, whether paid to them or to the sheriff of the county, except taxes upon corporations, railroads, telegraph, telephone, and express companies, and the stock thereof: *Provided*, this shall not apply to Raleigh Township."

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 106

AN ACT TO REPEAL CHAPTER 607 OF THE PUBLIC-LOCAL LAWS OF 1919, RELATING TO PROBATE FEES IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Specific repeal.

SECTION 1. That chapter six hundred and seven of the Public-Local Laws of one thousand nine hundred and nineteen be and the same is hereby repealed.

General repealing
clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 107

AN ACT TO AMEND HOUSE BILL 44, SENATE BILL 69, ENTITLED "AN ACT TO SEPARATE THE OFFICES OF TAX COLLECTOR AND TREASURER OF HENDERSON COUNTY," RATIFIED DECEMBER 10, 1921.

The General Assembly of North Carolina do enact:

SECTION 1. That House Bill forty-four, Senate Bill sixty-nine, entitled "An act to separate the offices of tax collector and treasurer of Henderson County," ratified the tenth day of December, one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out sections six, seven, eight, nine, and ten of said act and inserting in lieu thereof the following: "That the board of county commissioners of Henderson County are hereby authorized and empowered to appoint one or more solvent banks or trust companies located in Henderson County as financial agent for said county, which bank or trust company shall perform the duties of county treasurer. Such bank or trust company shall

Bank or trust
company as
financial agent.

Compensation.

not charge nor receive any compensation for its services other than such advantage and benefit as may accrue from the deposit of the county funds.

"The bank or trust company appointed financial agent of Henderson County under authority of this act shall serve for a term of two years, and shall be required to execute the same bonds for the safe keeping and proper accounting of such funds as may come into its possession and belonging to said county, and for the faithful discharge of its duties, as are now required by law of county treasurers, the premiums on said bonds to be paid by the county."

SEC. 2. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 108

AN ACT RELATING TO THE FEES TO BE COLLECTED BY THE REGISTER OF DEEDS OF ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees of the register of deeds of Rockingham County, whether he is paid for his services on a salary basis or in lieu of salary receives the fees, shall be the same as at present authorized and received by the register of deeds of Guilford County.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 109

AN ACT TO AMEND CHAPTER 576 OF THE PUBLIC-LOCAL LAWS 1919, PROVIDING A SCHEDULE OF FEES TO BE COLLECTED BY THE CLERK OF THE SUPERIOR COURT IN ROCKINGHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and seventy-six, Public-Local Laws one thousand nine hundred and nineteen, be and the same is hereby amended by inserting after

Schedule of fees. the words "Guilford County" in line two the following: "And the fees of the clerk of the Superior Court of Rockingham County."

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 110

AN ACT TO AMEND SECTION 1, CHAPTER 7 OF THE PUBLIC-LOCAL LAWS OF EXTRA SESSION OF 1920, RELATING TO WORK ON PUBLIC ROADS OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

Road duty. SECTION 1. That all that part of section one of said act now in quotations be stricken out and the following inserted in lieu thereof: "That all able-bodied male persons between the ages of eighteen and forty-five years, except students while in actual attendance at school and regularly ordained ministers of the gospel, shall be required to work five days each year on the public roads of said county, or pay in lieu thereof the sum of two dollars per day; said payment shall be made to the overseer on or before the day set for such work to be done."

Commutation.

Repealing clause. SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 3. That this act be in full force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 111

AN ACT TO AMEND CHAPTER 409 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE EMPLOYMENT OF A TRAFFIC OFFICER BY THE CENTRAL HIGHWAY COMMISSION OF PERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter four hundred and nine of the Public-Local Laws, session of one thousand nine hundred and twenty-one, be and the same is hereby amended as follows:

(a) By striking out in line one of section two the words "Central Highway Commission," and insert in lieu thereof "board of county commissioners."

(b) By striking out in line four of section three the words "Central Highway Commission" and inserting in lieu thereof the words "board of county commissioners," and by striking out in

Bond of traffic officers.

line six of section three the words "Central Highway Commission" and inserting in lieu thereof "board of county commissioners," Bond. and by striking out in line eight of section three the words "Central Highway Commission." and inserting in lieu thereof the words "board of county commissioners."

(c) By striking out in line two of section four the word "road" and inserting in lieu thereof the word "county." And by striking out in lines four and five of section four the words "Central Highway Commission" and inserting in lieu thereof the words "of county general fund." Payment from county fund. Fees to county fund.

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 112

AN ACT RELATING TO THE ELECTION OF THE COUNTY AUDITOR OF WAYNE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That instead of by a popular vote, as provided for in section twelve of chapter four hundred and seventy-five of the Public-Local Laws of one thousand nine hundred and nineteen, the county auditor of Wayne County shall be elected by the board of county commissioners of said county. Election by county commissioners.

SEC. 2. That the present officer shall hold office until the expiration of his term of office, or until his successor is duly appointed or elected and qualified, and it shall be the duty of the board of commissioners of Wayne County, on the first Monday in December, one thousand nine hundred and twenty-two, or within a reasonable time, and each two years thereafter on the first Monday in December, or within a reasonable time, to elect the auditor of the county as herein provided. Present auditor to complete term. Future elections.

SEC. 3. That the county auditor of Wayne County shall have the same duties, responsibilities, and authority, and serve in all respects and for all purposes as now provided by law, and under the control and direction of the board of county commissioners for said Wayne County, as provided in section twelve of chapter four hundred and seventy-five of the Public-Local Laws of one thousand nine hundred and nineteen.

SEC. 4. All laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 5. That this act shall be in full force and effect from and after the first Monday in April, one thousand nine hundred and twenty-two: *Provided, however,* the board of county commissioners of Wayne County, at a regular meeting, shall, prior thereto, Proviso: approval of act by county commissioners.

pass a resolution approving its adoption; said resolution to be passed by a favorable vote of at least four of the commissioners, and unless such resolution is duly passed and entered in the minutes of the meeting as herein provided, then this act shall be of no effect and the auditor shall be hereafter elected at the general elections as provided by chapter four hundred and seventy-five of the Public-Local Laws one thousand nine hundred and nineteen, and amendments thereto.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 113

AN ACT TO AMEND CHAPTER 578, PUBLIC-LOCAL AND PRIVATE LAWS, SESSION OF 1921, BY ADDING CHOWAN COUNTY TO THE LIST OF COUNTIES NAMED IN SAID CHAPTER.

The General Assembly of North Carolina do enact:

Fees of sheriff.

SECTION 1. That section two of chapter five hundred and seventy-eight, Public-Local and Private Laws, session one thousand nine hundred and twenty-one, [be amended] by adding the word "Chowan" after the word "Franklin" in the last line of said section.

Repealing clause.

SEC. 2. All laws in conflict with this act are hereby repealed.
SEC. 3. This act shall be in force from and after its ratification.
Ratified this the 15th day of December, A.D. 1921.

CHAPTER 114

AN ACT TO REGULATE THE FEES OF THE VARIOUS JUSTICES OF THE PEACE OF FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

Schedule of fees.

SECTION 1. That the various justices of the peace of Forsyth County shall be allowed the following fees and expenses, namely: Issuing attachment papers, fifty cents (50c.) for the original and fifty cents (50c.) for each copy thereof; for transcript of judgment, twenty-five cents (25c.); for issuing summons, forty cents (40c.), and twenty cents (20c.) for each additional defendant; issuing subpoena, twenty-five cents (25c.) for each witness; for trial and judgment, one dollar (\$1); for taking affidavit, twenty-five cents (25c.); for jury trial and verdict, one dollar (\$1); for issuing execution, fifty cents (50c.), and twenty cents (20c.) for each renewal of execution: for return to notice of appeal, fifty cents (50c.); for order of arrest in civil and criminal cases, fifty cents (50c.); for warrant for arrest (criminal cases), fifty cents

(50c.) ; for warrant of commitment, fifty cents (50c.) ; for taking depositions, twenty cents (20c.) for each copy sheet ; for garnishment of taxes, fifty cents (50c.) ; for certificate of return, fifty cents (50c.) ; for examination of woman in bastardy proceeding, fifty cents (50c.) ; for widow's year's allowance, one dollar (\$1) ; for filing and docketing lien, seventy-five cents (75c.) ; for probate of deed, twenty-five cents (25c.), and twenty-five cents (25c.) for each signer thereof ; for probate of chattel mortgage, twenty-five cents (25c.), and twenty-five cents (25c.) additional for each signer thereof ; for issuing claim and delivery papers, two dollars and fifty cents (\$2.50) ; for recognizing witnesses, fifteen cents (15c.) for each witness ; for order of removal, fifty cents (50c.) ; for capias and order, one dollar (\$1).

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 115

AN ACT TO PROVIDE FOR THE EXPENDITURE OF CERTAIN MONEYS COLLECTED UNDER AND BY VIRTUE OF CHAPTER 573, PUBLIC-LOCAL LAWS OF 1919.

Whereas it appears to the General Assembly of North Carolina that the counties of Camden, Pasquotank, and Perquimans have levied and collected certain taxes under the provisions of chapter five hundred and seventy-three, Public-Local Laws of one thousand nine hundred and nineteen, which said moneys were to be used in connection with the building of the Northeastern Carolina Highway, provided for in said act : and.

Preamble : moneys collected for North-eastern Carolina Highway.

Whereas it appears that the State highway system has practically taken over the said roads provided for in said Northeastern Carolina Highway :

Preamble : highway made part of State system.

The General Assembly of North Carolina do enact :

SECTION 1. That the moneys collected by the counties of Camden, Pasquotank, and Perquimans, under and by virtue of chapter five hundred and seventy-three, Public-Local Laws of one thousand nine hundred and nineteen, be and the same are hereby directed to be used as follows : The moneys collected in Camden County, for the general county road fund in Camden County ; the moneys collected in Pasquotank County, for the general county road fund in Pasquotank County ; the moneys collected in Perquimans County, for the general county road fund in Perquimans County.

Use of moneys.

Camden County.

Pasquotank County.

Perquimans County.

Moneys to be paid over.

SEC. 2. That the chairman of the Northeastern Carolina Highway Commission be and he is hereby directed to turn over to the proper road authorities in the counties of Camden, Pasquotank, and Perquimans the moneys collected in each of the said counties, that is, the moneys to be turned over to the road authorities in the county in which it was collected.

Copies of act.

SEC. 3. That immediately after the passage of this act the Secretary of State is directed to send to the chairman of the board of county commissioners of Camden County, to the chairman of the board of county commissioners of Pasquotank County, and to the chairman of the board of county commissioners of Perquimans County, and to Charles Whedbee, Esquire, Hertford, North Carolina, the chairman of the Northeastern Carolina Highway Commission, a certified copy of this act.

Repealing clause.

SEC. 4. That all laws or parts of laws in conflict with this act be and the same are hereby repealed.

SEC. 5. This act shall be in force from and after its ratification. Ratified this the 19th day of December, A.D. 1921.

CHAPTER 116

AN ACT TO AMEND CHAPTER 502, PUBLIC-LOCAL LAWS 1921, RELATING TO FISHING IN WACCAMAW RIVER, COLUMBUS AND BRUNSWICK COUNTIES.

The General Assembly of North Carolina do enact:

Limitation.

SECTION 1. That section one, chapter five hundred and two, Public-Local Laws one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from lines two and three the words "or its tributaries."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 117

AN ACT RELATING TO THE OFFICE OF TREASURER OF SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.

SECTION 1. That chapter ninety-five of the Public Laws of one thousand nine hundred and nine be and the same is hereby repealed, and that the office of county treasurer of Swain County is hereby recreated and established.

SEC. 2. That the board of county commissioners of Swain County shall elect, at its first regular meeting after the ratification of this act a county treasurer for Swain County, to serve until the next general election, at which time a county treasurer for Swain shall be elected by the people as is by law provided for.

County commissioners to elect.

Term.

Election of successor.

SEC. 3. That the salary of the treasurer of Swain County shall be determined by the board of county commissioners of said county, which salary shall not exceed twenty-five hundred dollars annually, and said salary to be paid proportionately out of all funds handled by said treasurer. Said commissioners shall have authority to change salary of said treasurer from time to time, but at no time to exceed twenty-five hundred dollars annually.

Salary.

Authority to change salary.

SEC. 4. That the treasurer of Swain County shall not have or receive any commission on receipt and disbursement of any funds received from the sale of county, school, township, or district bonds, or on the funds received from the sale of any bonds by the county, or any part or division thereof: *Provided*, that the county commissioners or the commissioners or trustees or board of any township or district, having under control and direction money received from the sale of any bonds, shall allow the treasurer an amount, to be paid out of such moneys, sufficient to pay the actual cost of making the bond which may be required of the treasurer for such funds.

No commissions to be allowed.

Proviso: cost of official bond.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 118

AN ACT TO AMEND CHAPTER 1, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1913.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-three of chapter one, Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, be and the same is hereby stricken out, and in lieu thereof the following be added:

"SEC. 23. That the board of road commissioners of Davie County shall contract for building and keeping and repairing of all bridges across the streams of Davie County where the same may be necessary for the public travel and convenience, and shall provide for the expense and cost of the same out of the road funds of said county as is now or may hereafter be provided by law for the upkeep and maintenance of the roads of said county.

Road commissioners to contract for building and upkeep of bridges.

Cost paid from road funds.

Repealing clause. SEC. 2. That all laws and clauses in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 119

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF DAVIE COUNTY TO FUND A FLOATING INDEBTEDNESS OF SAID COUNTY AND LEVY A SPECIAL TAX TO PAY THE INTEREST ON BONDS ISSUED FOR SAID PURPOSE.

Preamble: note for bridge funds.

Whereas the board of commissioners of Davie County have issued the note of said county in the sum of twenty-five thousand dollars (\$25,000) to secure funds with which to build and rebuild bridges in said county; and

Preamble: notes for payment of supervisor and appraisers.

Whereas said board of commissioners have also issued the note of said county in the sum of ten thousand dollars (\$10,000) to defray the expense and pay the salary and per diem of the county supervisor and the county board of appraisers and review appointed for said county under and by virtue of chapter eighty-four (84) Public Laws of one thousand nine hundred and nineteen; and,

Preamble: notes valid and for necessary expenses.

Whereas each of said notes is a valid obligation of said county and were issued to provide for a necessary expense of said county and for a special purpose and the board of commissioners of said county desire to fund said indebtedness: Therefore,

The General Assembly of North Carolina do enact:

Bond issue authorized.

SECTION 1. That the board of commissioners of Davie County be and it is hereby authorized and empowered to issue bonds of said county in sum of not exceeding forty thousand dollars (\$40,000) to be denominated "Davie County Funding Bonds." That said bonds may be issued in such denominations as said commissioners may determine, to bear interest at a rate not exceeding six per cent (6%) to be evidenced by coupons attached thereto.

Entitlement.

Interest.

Sale of bonds.

SEC. 2. That any and all bonds issued under the provisions of this act shall be disposed of by said board of commissioners either by public or private sale as to them may seem best, said board may advertise the sale of said bonds in some newspaper published either within or without the State of North Carolina.

Advertisement of sale.

Specific appropriation of proceeds.

SEC. 3. That the purchase money arising from the sale of said bonds issued under the provisions of this act shall constitute a

separate and distinct fund to be applied and used by said board of county commissioners in paying off and funding the outstanding notes and obligations of said Davie County.

SEC. 4. That in order to pay the interest on said bonds and create a fund to retire the same at maturity, the said board of commissioners of Davie County shall annually levy a special tax not exceeding the sum of fifteen cents (15c) on each one hundred dollars valuation of property. That said tax shall be levied and collected as other county taxes and shall be imposed upon all subjects of taxation as are now or may hereafter be subjected to taxation under the laws of the State and shall be collected by the officer charged with the collection of other taxes of Davie County.

Special tax.

Limit of rate.

Levy and collection.

SEC. 5. That the bonds herein provided for shall be serial bonds to be retired at such time as the board of commissioners of Davie County may determine, not exceeding thirty years from date of issue.

Maturity of bonds.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 7. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 120

AN ACT TO PROTECT GAME IN HYDE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the closed season of each year, during which deer shall not be hunted with guns, chased with dogs, killed, trapped or destroyed, shall be from February the first to September the first.

Close season for deer.

SEC. 2. If any person shall at any time during this said closed season, chase with dogs, guns, kill, wound, or in any manner take or capture any deer, he shall be guilty of a misdemeanor and fined not more than twenty-five dollars.

Misdemeanor.

SEC. 3. That any resident of North Carolina, who is a non-resident of Hyde County, who desires to hunt, shoot deer, squirrel, quail or partridge, in any part of Hyde County, shall make application to the game warden of Hyde County thereof, who shall issue such a license upon payment of a tax of five dollars, and the game warden fees amounting to fifty cents. The license shall expire at the termination of the hunting season set forth in this act and shall entitle the holder to hunt only in Hyde County. This section shall also apply to any nonresident of the State of North Carolina, except he shall pay a tax of ten dollars and

Nonresidents to take out license.

License tax.

Termination of license.

Nonresidents of State.
License tax.

Landowners considered residents. License tax paid into school fund. fifty cents and the game warden's fees amounting to fifty cents. All persons that own real estate in Hyde County shall be considered as residents of Hyde County. The funds received by the game warden from the sale of hunters' licenses shall be turned over to the county treasurer as school funds.

Hunting without license misdemeanor. SEC. 4. If any nonresident of the State of North Carolina, or any resident of North Carolina who is a nonresident of Hyde County, shall hunt in said county without license as required by section three of this act, he shall be guilty of a misdemeanor and fined not more than twenty-five dollars.

Punishment.

Application of act. SEC. 5. That this act shall apply to Hyde County only.

Repealing clause. SEC. 6. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 121

AN ACT TO AMEND SECTION 3401 OF THE CONSOLIDATED STATUTES RELATIVE TO FEES FOR SEIZURE OF STILL IN NASH COUNTY.

The General Assembly of North Carolina do enact:

Allowance. SECTION 1. That section 3401 of the Consolidated Statutes of North Carolina be amended by striking out the words in line two thereof, "the sum of twenty dollars," and inserting in lieu thereof the words, "the net proceeds of sale of the copper or other material out of which the still was made."

Application of act. SEC. 2. That this act shall apply only to the county of Nash.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 122

AN ACT REGULATING FEES TO BE CHARGED IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

Schedule of fees. SECTION 1. That there shall be charged and collected in Cumberland County the following fees, to wit: Same fees as fixed and provided for Guilford County, as contained in chapter two hundred and nineteen of the Public-Local Laws of one thousand nine hundred and nineteen.

SEC. 2. That all previous laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 123

AN ACT TO VALIDATE THE APPOINTMENT OF CERTAIN MEMBERS OF THE BOARD OF EDUCATION OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That whereas there has arisen some question as to the validity of the appointment of J. E. Gentry and G. C. Green as members of the board of education of Ashe County; and whereas there are, including said members, four members of the board of education in Ashe County, be it therefore enacted: That the appointment of J. E. Gentry and G. C. Green as members of said board be and the same are hereby validated, and that George F. Bare be and he is hereby appointed as an additional member of said board for a term of four years.

Preamble:
validity
questioned.

Number of board.
Appointment
validated.

Additional
appointment.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 124

AN ACT TO AMEND CHAPTER 52S, PUBLIC-LOCAL LAWS, REGULAR SESSION OF 1921, RELATING TO CONSTRUCTION AND MAINTENANCE OF A SYSTEM OF PUBLIC ROADS IN WILKES COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and twenty-eight, Public-Local Laws of North Carolina, regular session of one thousand nine hundred and twenty-one, be amended by adding at the end of section one of said chapter the following paragraph: "That wherever, by reason of the State Highway Commission having taken over for construction or maintenance any of the roads or road projects provided for in this chapter, the good roads commission and superintendent of roads for Wilkes County are hereby authorized and empowered to use the money appropriated for

Appropriations to
roads taken over
by State.

Reversion to
county road fund.

such road or road projects for the construction and upkeep of the public roads and bridges of Wilkes County, in such place and manner as they may deem to be for the best interests of the public roads of the county."

Construction of
bridge ordered.

SEC. 2. That the word "may" after the comma following the word "necessary." in line twenty-three of section twenty-nine, chapter five hundred and twenty-eight, Public-Local Laws of North Carolina, regular session of one thousand nine hundred and twenty-one, be stricken out and that the word "shall" be inserted in lieu thereof.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 125

AN ACT TO PROVIDE FOR BETTER PROTECTION OF PLATS OR MAPS TO BE FILED IN THE OFFICE OF REGISTER OF DEEDS OF DAVIDSON COUNTY.

The General Assembly of North Carolina do enact:

Materials.

SECTION 1. That in order to preserve permanently all such plats or maps of land required or desired to be recorded as a part of the records in the register of deeds' office in the county of Davidson, all persons filing said plats or maps for record shall have said plats or maps prepared upon tracing cloth with tracing ink, said plats or maps to be twenty-four inches long by twenty inches wide.

Size of maps.

Copy delivered
to register.

SEC. 2. That one copy of said plat or map shall be delivered to the register of deeds.

Plat books.

SEC. 3. That the register of deeds shall preserve said plats or maps in books to be made for that purpose and to be kept as a part of the permanent records of his office.

Maps heretofore
filed.

SEC. 4. That the county commissioners of Davidson County shall, within eighteen months after the ratification of this act, secure the service of a civil engineer and have plat books number one and two retraced and reduced on tracing cloth with tracing ink, said plats or maps to be twenty-four inches long by twenty inches wide. These said maps or plats are to be placed in two plat books to correspond with the present ones in the numbering and page number on which the present plats or maps are filed.

Plat books.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 126

AN ACT TO AMEND CHAPTER 467 OF THE PUBLIC-LOCAL LAWS OF 1919, AND CHAPTER 38 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATIVE TO THE PUBLIC ROADS OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

- SECTION 1. That the money received from the sale of the Ashe County road bonds sold December third, one thousand nine hundred and twenty-one, and also the funds received from the sale of the bonds heretofore and hereinafter provided for, shall be expended by the highway commissioners of Ashe County in the following manner: First, said commission shall pay all valid indebtedness against said county incurred in connection with the construction of the public roads of said county under the provisions of this act and under the acts amendatory hereof; second, that said commission shall next pay all current estimates due on the construction of the roads in Ashe County now under contract; third, that there shall be retained a sufficient amount of the remainder of said funds to pay the monthly estimates on the roads now under construction and under contract. That the remainder of said funds, if any, including the funds hereinafter provided for, and the funds hereafter received by said commission from the sale of bonds, shall be expended as provided in section eleven of chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, and as hereinafter provided.
- SEC. 2. That the good roads commission of Ashe County is hereby authorized, empowered, and directed to sell under the provision of chapter four hundred and sixty-seven of the Public-Local Laws of one thousand nine hundred and nineteen, and the acts amendatory thereof, to issue and sell a sufficient amount of bonds to complete the roads now under contract for completion, and also to pay the townships the maximum amounts provided for in section eleven of chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, as amended by this act; and also to build and construct the roads provided for in section eleven of chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, as amended by this act, notwithstanding the limitation upon the bonded indebtedness of Ashe County, as provided for in section eight of chapter thirty-eight of the Public-Local Laws of the session of one thousand nine hundred and twenty-one; but when said roads and obligations as above set out have been provided for by the sale of bonds, then said highway commission shall have no further authority to issue bonds.
- Expenditures of proceeds of bond issues.
- Payment of road debts.
- Payment on roads under contract.
- Payment on roads under construction.
- Expenditures under control of good roads commission.
- Sale of bonds authorized.
- Payments to townships.
- Construction of roads.
- Limitation removed.

Beginning point for road in Laurel Township.	SEC. 3. That the construction of the roads provided for in Laurel Township under section one of the Public-Local Laws of one thousand nine hundred and twenty-one, chapter thirty-eight, shall be begun at the Jefferson and Creston road near T. S. Maxwell's residence and be constructed up Laurel Creek as far as the funds will permit, and the amounts provided for in said section of said act shall be ten thousand dollars, and shall be deposited by the good roads commission in some bank in Ashe County to be designated by the special commissioners hereinafter named, and Elihu Graybeal, B. F. Kilby, and W. A. McMillan are hereby appointed special commissioners who are authorized and empowered to supervise, control and locate, and have constructed said roads in the manner herein provided. That said commissioners shall appoint some competent overseer or overseers that have had practical experience in the construction of roads at a price of not exceeding three dollars per day, and said overseer, or overseers, shall employ laborers at a price of not exceeding one dollar and fifty cents per day, and teams and drivers at a price of not exceeding four dollars per day, and thus have said roads constructed. That said overseers are hereby authorized and directed to discharge all laborers who do not perform efficient labor, and ten hours shall constitute a day's labor.
Appropriation.	
Deposit of funds.	
Special commissioners.	
Commissioners to appoint overseers.	
Pay of overseers.	
Employment and pay of laborers.	
Pay for teams and drivers.	
Discharge of laborers.	
Day's work.	
Special commissioners for Old Fields Township.	SEC. 4. That James Morphew, J. W. Duncan, and Julius Spears are hereby appointed special commissioners to spend the amount of money provided for Old Fields Township under section eleven of chapter thirty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, with the same powers and under the same conditions provided for in section three of this act for constructing the roads in Laurel Township, except said special commissioners shall use their discretion as upon what roads in said township said funds shall be spent.
Powers and conditions.	
Special commissioners for road from Bowie to Idlewild.	SEC. 5. That L. S. Vannoy, V. L. Moretz, and J. H. Colvard, be and they are hereby appointed special commissioners to construct the roads provided for in section eleven of chapter thirty-eight of the Public-Local Laws of session of one thousand nine hundred and twenty-one, from Bowie to Idlewild, with the additional power also to construct said road from Idlewild to the Watauga line by the way of Hopkins, North Carolina, said commissioners to construct said road in the same manner and upon the same conditions as provided for in section three of this act for the construction of the Laurel Township roads.
From Idlewild to Watauga line.	
Special commissioners for road from Jefferson to Obids.	SEC. 6. That W. A. Williams, J. W. Calloway, and D. H. Burgess, are hereby appointed special commissioners to have completed the remainder of the road not now under contract for construction from West Jefferson to Obid's Postoffice, as provided for in section eleven, chapter thirty-eight of the Public-Local Laws of the session of one thousand nine hundred and twenty-one, under

the same conditions and limitations provided for in section three of this act for the construction of the road in Laurel Township.

SEC. 7. That it shall be a felony for any member of the highway commission of Ashe County, or any of their officers or employees, to be either directly or indirectly interested in any contract for the construction of roads in Ashe County made by said highway commission, and upon conviction shall be fined not less than five hundred dollars, and imprisoned in the State's prison for a period of not less than five years.

Felony for commissioners, officers, or employees to be interested in contracts.

Punishment.

SEC. 8. That the special commissioners appointed under this act shall receive as compensation two dollars per day and their actual expenses while actually engaged in the discharge of their duties.

Pay of special commissioners.

SEC. 9. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 127

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CHEROKEE COUNTY TO LEVY A SPECIAL TAX FOR THE PAY OF JURORS AND FOR THE SUPPORT OF THE COUNTY HOME AND COUNTY JAIL.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Cherokee County is hereby authorized and empowered to levy, for the year one thousand nine hundred and twenty-two and the year one thousand nine hundred and twenty-three upon all taxable property in Cherokee County, a special tax of not to exceed fifteen cents on each one hundred dollars valuation of property.

Special tax authorized.

Limit of rate.

SEC. 2. The said special tax shall be levied and collected at the same time and in the same manner as other county taxes are levied and collected and the proceeds arising from said collection shall be kept separate and apart from other county funds and shall be used for the following purposes and for no other purpose whatsoever:

Levy and collection.

Specific appropriation.

(a) An amount not to exceed one-third of the amount so collected shall be used and expended in paying the jurors and State witnesses for their attendance and services rendered from and after this date.

(a) For pay of jurors and witnesses.

(b) An amount not to exceed one-third of the total amount so collected shall be used and expended in maintaining and operating the county home for the aged and infirm.

(b) For operating county home.

(c) For feeding prisoners and heating and lighting jail.

(c) An amount not to exceed one third of the total amount so collected shall be used and expended for the purpose of feeding prisoners confined in the county jail and furnishing heat and light for said jail.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 128

AN ACT TO REGULATE THE FEES OF THE JUSTICE OF PEACE IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. In addition to the fees for other services as now allowed by law the justice of the peace shall receive the following fees: Issuing summons in civil actions, fifty cents; trial of an issue and judgment, one dollar; issuing execution, twenty-five cents; issuing transcript of judgment, twenty-five cents; order of arrest in civil actions, fifty cents.

SEC. 2. That this act shall apply only to Yadkin County.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 129

AN ACT TO AMEND SECTION 9, CHAPTER 170, OF THE PUBLIC-LOCAL LAWS OF 1921, RELATIVE TO AUTHORIZING THE COMMISSIONERS OF ALEXANDER COUNTY TO BORROW MONEY FOR THE CONSTRUCTION AND IMPROVEMENT OF PUBLIC ROADS AND BRIDGES.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine, chapter one hundred and seventy of the Public-Local Laws of one thousand nine hundred and twenty-one be, and is, hereby stricken out and the following words inserted in lieu thereof:

"SEC. 9. The board of county commissioners of Alexander County is hereby authorized and empowered, in its discretion, upon written request of the good roads commission of Alexander County, to borrow such sum of money, not to exceed fifty thousand dollars (\$50,000), as said good roads commission may request, and said board of county commissioners may deem wise. The money

Summons in civil actions. Trial and judgment. Execution. Transcript of judgment. Order for arrest. Application of act.

Power to borrow money.

Short-term notes.

so borrowed may be secured by the short time notes of Alexander County, not exceeding ten thousand dollars (\$10,000) of said notes to be due and payable on the first day of January, one thousand nine hundred and twenty-four, and not exceeding ten thousand dollars (\$10,000) of said notes to be due and payable annually thereafter. The money so borrowed shall be used in the manner and for the purpose prescribed by this act for the use of the proceeds arising from the sale of bonds authorized by this act. The board of county commissioners of Alexander County is hereby authorized and empowered to levy annually, on all real and personal property, in Alexander County a special tax sufficient to pay off said notes, together with interest on the same, at maturity, or to pay off any notes given or obligations incurred under the authority of this section out of the proceeds arising from the sale of bonds authorized by this act. The discharge of said obligation shall be construed to be the application of the proceeds of said bonds to the purposes of construction and improvement of the public roads and bridges of Alexander County."

Maturity of notes.

Use of money.

Special tax.

Discharge of obligation.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 130

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COUNTY COMMISSIONERS OF FORSYTH COUNTY TO ISSUE \$800,000 IN BONDS FOR THE PURPOSE OF REPAIRING AND CONSTRUCTING HARD-SURFACE ROADS IN THE COUNTY OF FORSYTH.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of improving and constructing hard surface roads in the county of Forsyth and the erection of bridges in said county, the board of county commissioners of Forsyth County are hereby authorized and empowered to issue bonds in the sum of not more than eight hundred thousand dollars (\$800,000), to be denominated Forsyth County Road Bonds, and to be in such denominations as said board of commissioners may determine, bearing interest from their date at a rate not exceeding six per cent (6%) per annum with interest coupons attached, payable semiannually at such time or times and at such place or places as said board may determine; said bonds to be in such form and tenor, and transferable in such way, and the principal thereof payable at such time or times, not exceeding

Purpose of issue.

Bond issue authorized.

Amount and entitlement.

Denominations.

Interest.

Maturity.

Authentication.

thirty years from date of issue, and at such place or places as said board of commissioners may determine. Said bonds shall be signed by the chairman of the board of commissioners of Forsyth County and countersigned by the clerk of said board and shall have the county seal impressed thereon, and the coupons thereto attached shall bear the facsimile signature of the chairman of the board of county commissioners engraved or lithographed thereon.

Sale below par forbidden.

SEC. 2. That no bonds issued by the board of county commissioners under this act shall be sold, or otherwise disposed of for less than par and accrued interest, and the said board of commissioners is authorized and empowered to dispose of said bonds either by public or private sale or by sealed bids, as they may see fit.

Sale public or private.

Proceeds to constitute distinct fund.
Application of proceeds.

SEC. 3. That the proceeds arising from the sale of the bonds under this act shall constitute a separate and distinct fund, the proceeds to be applied first in the construction of a hard surface road from Winston-Salem to the county line of Stokes and Forsyth by way of Walkertown and Dennis, and after the construction of the same, on such other roads, bridges and improvements in any other public road in Forsyth County; the said board of commissioners shall cause the treasurer or disbursing officers acting in the place of the treasurer of said county, to keep his account of said fund so that the condition of the same may at all times be shown; and they shall also keep a book in which the number of bonds shall be entered and the amount paid for the same, and when the interest shall fall due.

Accounts.

Record of bonds.

Special tax.

SEC. 4. Said board of county commissioners is hereby further authorized to levy annually a special tax *ad valorem* upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board. Said tax shall be collected by the officers, or officer, charged with the collection of any other county tax; and said officer shall in respect thereto be liable officially as well as personally to all requirements of the law now prescribed, or which may hereafter be prescribed, to the faithful collection and payment of other taxes.

Collection.

Officers liable on bonds.

Specific appropriation of proceeds of bonds.

SEC. 5. That no part of the proceeds of the sale of the bonds herein provided for shall be used for any other purpose than is herein set out in this act.

Obligation of purchasers devolved.

SEC. 6. That the purchasers or holders of any part of said bonds shall not be required to see to the application of the proceeds of the same.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 131

AN ACT TO REPEAL CHAPTER 258 OF THE PUBLIC LAWS OF 1921, BEING AN ACT TO AMEND PUBLIC-LOCAL LAWS OF 1917, CHAPTER 414, RELATIVE TO BUYING AND SELLING QUAIL IN MECKLENBURG COUNTY, AND TO RE-ENACT THE ORIGINAL PROVISIONS OF CHAPTER 414, PUBLIC-LOCAL LAWS OF 1917.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and fifty-eight of the Public-Local Laws of one thousand nine hundred and twenty-one, being "An act to amend Public-Local Laws of one thousand nine hundred and seventeen, chapter four hundred and fourteen, relative to buying and selling quail in Mecklenburg County," be and the same is hereby repealed.

Law specifically repealed.

SEC. 2. That chapter four hundred and fourteen, section one, of Public-Local Laws of one thousand nine hundred and seventeen, be and the same is hereby amended by inserting back in line two of said section after the word "sale" the words "or to buy or offer to buy"; and that section two thereof, be and the same is hereby amended, by inserting back in said section, after the word "partridge" the words "by any hotel, restaurant or café keeper, or."

Purchase of game forbidden.

SEC. 3. That this act shall be in force and effect from and after January first, one thousand nine hundred and twenty-one.

When act effective.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 132

AN ACT TO REGULATE HUNTING AND TO PROTECT GAME BIRDS, WILD FOWLS, RABBITS, SQUIRRELS, OPOSSUMS, AND FUR-BEARING ANIMALS IN YADKIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person or persons to hunt, trap or fish upon the lands of another without first having obtained the permission of the owner of such lands, or his agent or representative.

Hunt.

SEC. 2. That it shall be unlawful for any person or persons to hunt, shoot, trap, or in any manner whatever to kill, take or destroy deer, partridge, quail, wild turkey, woodcock or other game birds or their eggs in Yadkin County between the first day of February and Thanksgiving day in each and every year.

Close season for specified game.

SEC. 3. That it shall be unlawful for any person or persons to net or trap quail or partridges, or to net, trap, shoot, kill or in any manner whatever to destroy wild turkeys or their eggs in Yadkin County at any time.

Full protection as to netting and trapping and to eggs.

Selling game
forbidden.

Shipping
forbidden.

Close season for
rabbits.

Proviso: hunting
and trapping on
owned or leased
lands.

Close season for
opossums.

Close season for
squirrels.

Appointment of
game warden.

Term of office.
Duty.

Deputies.

Warden and depu-
ties to qualify and
give bond.

Oath and bond
filed.

Fees of wardens.

SEC. 4. That it shall be unlawful for any person, firm or corporation to sell or offer for sale or have in possession for sale, either directly or indirectly, any quail, partridge, woodcock, or other game bird, dead or alive, in Yadkin County; and it shall further be unlawful for any such persons, firm, or corporation to ship, convey or cause to be shipped or conveyed in any manner whatever, any such quail, partridge or other game birds out of Yadkin County for the purpose of sale, either directly or indirectly.

SEC. 5. it shall be unlawful for any person or persons to hunt or kill rabbits at any time in Yadkin County between the first day of September and Thanksgiving day in each and every year except as hereafter provided, that nothing herein shall be construed to prevent or make it unlawful for any person or persons to chase rabbits with a dog or dogs on his own lands or lands rented or leased by him or by and with the permission of the owner of said lands, or to trap or catch rabbits in gums or boxes on such lands.

SEC. 6. That it shall be unlawful for any person or persons to hunt opossums in any manner in Yadkin County between the first day of March and the first day of October in any year.

SEC. 7. That it shall be unlawful for any person or persons to hunt squirrels in Yadkin County between the fifteenth day of May and the first day of September in any year.

SEC. 8. That for the purpose of carrying out the provisions of this act, the board of commissioners of Yadkin County, on the first Monday in March, one thousand nine hundred and twenty-two, and biennially thereafter, shall appoint a chief game warden for Yadkin County who shall hold his office for a term of two years, and whose duty it shall be to diligently enforce the game laws of Yadkin County as herein set forth and all other game laws applicable to said county, either general or special; and it shall be the duty of the chief game warden above mentioned, upon the petition of three freeholders of any township in said county, to appoint deputy game wardens for said township.

SEC. 9. Every warden or deputy warden so appointed shall, before entering upon the duties of his office, take and subscribe before the clerk of the Superior Court of Yadkin County, an oath to perform the duties of his office, together with the other oaths prescribed for police officers, and execute a bond in the sum of fifty dollars for the faithful performance of his duties. Such oath and bond shall be filed by the clerk in his office. The clerk shall not charge more than fifty cents for administering and filing said oath and bond.

SEC. 10. The chief game warden or deputy game warden for each conviction under the game laws, secured by such warden or deputy, shall receive the sum of five dollars, to be charged in the bill of cost, in addition to fees allowed by law for serving process

and other acts to constables in connection with any indictment or prosecution for violation of game laws in Yadkin County.

SEC. 11. That it shall be and is hereby made the duty of such chief game warden and all deputy game wardens in Yadkin County to diligently inquire into all violations of the provisions of this act and to prosecute either upon their own information or information furnished them by any person, such violations before any justice of the peace of Yadkin County, or other officers having jurisdiction of said offense.

Duty of chief and deputy wardens.

SEC. 12. Any person violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars, or imprisoned not more than thirty days in jail.

Violation of act misdemeanor.
Punishment.

SEC. 13. That this act shall apply to Yadkin County only.

Application of act.

SEC. 14. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 15. That this act shall be in force and effect from and after the first day of March, one thousand nine hundred and twenty-two.

When act effective.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 133

AN ACT PERTAINING TO THE CAPTURE AND SEIZURE OF STILLS AND THE OPERATORS THEREOF, IN WAKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. For every distillery complete, captured and seized in Wake County, by any person, and which shall be turned over to the county commissioners of said county, there shall be paid to the person making such capture or seizure, out of the general funds of the county, the sum of ten dollars (\$10).

Reward for capture of distillery.

SEC. 2. That for the capture and seizure complete of a distillery in Wake County, and for the apprehension and conviction of any one or more of the operators, aiders or abettors of said still, the county commissioners of Wake County shall pay to the party making such capture and arrest, out of the funds of the county, the sum of fifty dollars (\$50).

Capture and seizure of distillery and apprehension of operators.

SEC. 3. *Provided, however,* that the commissioners shall not pay either of these amounts if they are satisfied in their own discretion, after due investigation, that the seizure of said distillery, or the capture of the persons, was not *bona fide* made.

Proviso: seizures not bona fide.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 134

AN ACT PROHIBITING THE SALE OF WILD TURKEYS IN
CHATHAM AND LEE COUNTIES.*The General Assembly of North Carolina do enact:*Sale or offer to sell
forbidden.

SECTION 1. That it shall be unlawful for any person, firm or corporation to sell or offer for sale any wild turkey in Chatham or in Lee counties.

Misdemeanor.
Punishment.

SEC. 2. That any one violating the provisions of this act shall, upon conviction, be deemed guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 135

AN ACT TO AMEND CHAPTER 320 OF THE LAWS OF NORTH
CAROLINA OF 1883, RELATING TO "THE BETTER DRAIN-
AGE OF THE LOWLANDS OF REEDY FORK AND HORSE-
PEN CREEKS, IN GUILFORD COUNTY," ETC.*The General Assembly of North Carolina do enact:*

SECTION 1. That chapter three hundred and twenty of the laws of North Carolina of one thousand eight hundred and eighty-three be and the same is hereby amended, in so far as same relates to that portion of Horsepen Creek therein described, as follows:

Complaints to
sheriff or deputy.

SEC. 2. That upon complaint of any person, firm or corporation to any sheriff or deputy sheriff of Guilford County that any person, firm or corporation is not keeping the channel of said Horsepen Creek free and clear of obstructions or the banks of same free and clear of undergrowth, briars, and bushes, on such portions of said channel and banks of said creek as may be upon his, their or its lands, it shall thereupon be the duty of said officer within seven days thereafter to notify such person, firm or corporation complained of, of the complaint lodged with him.

Notice to person
complained of.Failure to remove
obstruction
misdemeanor.

In the event that such person, firm or corporation complained of fail to remove such obstructions or clear said banks within thirty days after such notice he, they or it shall be guilty of a misdemeanor.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 136

AN ACT TO AMEND SECTION 1564 OF THE CONSOLIDATED
STATUTES, RELATING TO THE PAY OF THE RECORDER
OF CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one thousand five hundred and sixty-four of the Consolidated Statutes be and the same is hereby amended by adding at the end of said section the following: "*Provided*, that the recorder of Cherokee County Recorder's Court shall be paid and shall receive in compensation for his services not less than one hundred dollars (\$100) per month."

Proviso: salary of recorder.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 137

AN ACT TO AMEND CHAPTER 58 OF THE PUBLIC-LOCAL
LAWS OF 1921, RELATIVE TO THE FINANCE COMMITTEE
OF ASHE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter fifty-eight of the Public-Local Laws of session one thousand nine hundred and twenty-one, be and the same is hereby amended as follows: By striking out the capital letter "G" in line one of said act and inserting in lieu thereof the capital letter "T"; and by striking out the name of "J. W. Calloway" in line two of said section and inserting in lieu thereof the names "J. M. Morphew, J. D. Thomas, and E. A. McNeill."

Name corrected.

Additional committeemen.

SEC. 2. That there shall be added at the end of section two of said act the following: "That the finance committee of Ashe County are hereby directed, empowered and authorized to make a thorough investigation of the expenditures of money and the contracts made by the highway commission of Ashe County, in connection with the construction of the public roads of Ashe County, and to employ some competent engineer or engineers to check up and verify the current and final estimates of the county engineer and his assistants; and for the purpose of this investigation and verification the county engineer is hereby directed to furnish to the engineer or engineers so employed by said finance committee, all the information necessary to check up and verify said estimates, including the original notes of the surveys, and all records made by said county engineer in connection with his work, to-

Investigation of expenditures and contracts of Highway Commission.

Engineer to verify estimates.

Information furnished by county engineer.

gether with all other information within his knowledge or possession that may be necessary to make a complete and thorough investigation of the expenditures of the road funds of Ashe County, and if the said county engineer refuses to furnish said information within a reasonable time after demand therefor, he shall be guilty of a misdemeanor, and upon conviction shall be fined and imprisoned in the discretion of the court, and removed from his said office. That for the purpose of conducting this investigation, the finance committee of Ashe County may issue subpoenas for any person or persons, causing them to appear before said committee to give evidence upon any matter pertinent to said investigation, and if said persons, after being duly subpoenaed shall refuse or neglect to appear before said committee, said committee shall have the power to punish said person or persons for contempt, as provided for in sections nine hundred and eighty-five and nine hundred and eighty-six of the Consolidated Statutes of North Carolina of one thousand nine hundred and nineteen. That the expenses of said investigation shall be paid out of any road fund that may be in the hands of the highway commission of Ashe County, and if said funds should be exhausted, then by the county of Ashe."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 138

AN ACT TO PROTECT FISH IN THE OCONA LUFTY RIVER IN SWAIN COUNTY.

The General Assembly of North Carolina do enact:

Full protection. SECTION 1. That prior to May fifteenth, one thousand nine hundred and twenty-four, it shall be unlawful for any person or persons to trap, catch, or kill, fish with hook, seine, spear, snare or otherwise to take any fish from the waters of the Ocona Lufly River or its tributaries, or the waters of said tributaries, or in any of the waters that eventually empty into said river within the boundaries of Swain County.

Open season. SEC. 2. That after May fifteenth, one thousand nine hundred and twenty-four, there shall be an open season for fishing in the said Ocona Lufly River and its tributaries, and said open season shall be from May fifteenth to September fifteenth of each year thereafter; that it shall be unlawful for any person or persons to fish in said waters at any time except during the open season as herein provided. That during the open season of each year, all fish taken from the waters designated by this act shall be

Limit of size
of fish.

not less than seven inches in length; that any person or persons catching fish under seven inches in length shall return said fish to the stream with as little damage to the fish as possible. Fish returned to stream.

SEC. 3. That any person or persons violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined ten dollars or imprisoned thirty days for each and every offense. Misdemeanor.
Punishment.

SEC. 4. That any person furnishing sufficient evidence to convict anyone violating any of the provisions of this act shall receive twenty dollars (\$20), which shall be included in the bill of costs. Tax fee to use of informant.

SEC. 5. That the board of county commissioners of Swain County shall appoint at least three wardens, who shall patrol the waters hereinbefore described. Said wardens shall have authority to arrest without warrant any person or persons violating this act or any of the provisions thereof, and shall take same before any justice of the peace of said county for trial. The pay of each warden shall be fifty dollars (\$50) per year in addition to the reward offered in section four of this act. Appointment of wardens.
Arrests without warrant.
Pay of wardens.

SEC. 6. That chapter two hundred and eighty-three of the Public-Local and Private Laws of one thousand nine hundred and twenty-one, be and the same is hereby repealed. Former fishing law repealed.

SEC. 7. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. General repealing clause.

SEC. 8. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 139

AN ACT TO AMEND THE GAME LAWS RELATING TO THE CLOSE SEASON ON QUAIL OR PARTRIDGES IN BEAU- FORT COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the close season of each year during which no quail or partridge shall be shot, killed, wounded, or in any manner hunted, taken or captured in Beaufort County, shall be from February fifteen to November fifteen. Close season.

SEC. 2. That this act shall apply to Beaufort County only. Application.

SEC. 3. That any person violating the provisions of this act shall be guilty of a misdemeanor. Misdemeanor.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 140

AN ACT TO AMEND CHAPTER 692 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATING TO THE RECORDER'S COURT OF MOUNT AIRY IN SURRY COUNTY.

The General Assembly of North Carolina do enact:

Jurisdiction.

SECTION 1. That chapter six hundred and ninety-two of the Public-Local Laws of the session of one thousand nine hundred and thirteen be amended as follows: In section seven, subsection (b), line two of the section, strike out the word "exclusive" between the words "final" and "original" and insert the word "concurrent."

Repealing clause.

SEC. 2. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 141

AN ACT TO PROMOTE THE WORK OF THE WELFARE AND HOME AND FARM DEMONSTRATION AGENCIES OF ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

Welfare officer, home demonstration agent and farm agent to file reports monthly.

Requirements of report.

Reports to be verified.

Failure to report "good cause" for removal.

Copy of reports posted.

SECTION 1. That it shall be the duty of the welfare officer of Onslow County, the home demonstration agent of Onslow County, and the farm agent of Onslow County, on the first Monday of each month, to file with the board of county commissioners of Onslow County, a true and accurate and itemized statement of all the work done by each of them during the previous month, together with sufficient data to identify the work upon which said reports were made and the number of hours on duty each day of said previous month and the places where such duties were performed, such statements shall be duly verified by oath of such officer.

SEC. 2. Any failure in performance of the duties of such officer or agent shown in such statement shall be taken as admitted "good cause" for removal.

SEC. 3. A copy of all such reports shall be posted within five days after the filing of the same, at the courthouse door and at some public place in each township in said Onslow County.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 142

AN ACT TO PROVIDE FOR THE WORKING OF CONVICTS
IN DRY WELLS TOWNSHIP, NASH COUNTY, ON PUBLIC
WORKS OR IN OTHER ROAD DISTRICTS.

The General Assembly of North Carolina do enact:

SECTION 1. That the road commissioners of Dry Wells Township Road District, Nash County, shall have the authority to make contracts for the working of convicts under their jurisdiction in other similar road districts in Nash County and on other public work as, in their discretion, may seem proper to said commissioners of said road district, by contract, and when they have not sufficient funds in their own district to justify their work. Contracts authorized.

SEC. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 143

AN ACT TO SUBMIT TO A VOTE THE QUESTION OF
SALARIES OF OFFICERS OF FRANKLIN COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That at the next general election to be held in the year one thousand nine hundred and twenty-two there shall be submitted to the voters of Franklin County the question: "Shall the officers of Franklin County continue upon salaries or shall they be put upon a fee basis?" At the said election each voter who shall favor compensating the officers of Franklin County with salaries, in accordance with the present provisions of law, shall vote a ballot on which shall be written or printed the words, "For Salaries"; and each voter who shall favor the abolition of said salary and the placing of the county officers of Franklin County on a fee basis, shall vote a ballot on which shall be written or printed the words, "Against Salaries." The said election shall be held at the same time that the general election is held in the year one thousand nine hundred and twenty-two, and shall be held and conducted under laws applying to general elections. Question to be submitted at next election.

Ballot.

Law governing election.

SEC. 2. That if a majority of the votes cast in said election shall be "For Salaries," then the existent provisions of law relating to the compensation of the officers of Franklin County and their deputies shall remain in force and effect. But if a majority of the votes cast in said election shall be "Against Salaries," then the salaries of said officers of Franklin County Effect of election.

and their deputies shall be abolished from and after the first Monday in December, one thousand nine hundred and twenty-two, chapter forty-five, Public-Local Laws one thousand nine hundred and twenty-one, chapter six hundred and ninety-one, Public-Local Laws one thousand nine hundred and fifteen, and acts amendatory thereto shall be no longer in force and effect, and the officers of Franklin County and their deputies shall receive their compensation from fees in accordance with the provisions of the law.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 144

AN ACT TO AMEND CHAPTER 107, PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE FEES FOR THE CAPTURE OF ILLICIT DISTILLERIES IN LEE COUNTY.

The General Assembly of North Carolina do enact:

Rewards for
distilleries.

SECTION 1. That section one of chapter one hundred and seven of the Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out in line six between the words: "words" and "which" the words "receive the sum of twenty dollars" and insert in lieu thereof the following: "receive the sum of ten dollars for each still; five dollars for each cap; and five dollars for each worm."

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 145

AN ACT TO REGULATE THE CATCHING AND KILLING OF FISH IN THE WATERS OF RICHMOND COUNTY.

The General Assembly of North Carolina do enact:

Fishing, except
hook and line,
forbidden.

SECTION 1. That it shall be unlawful for any person, firm or corporation to catch, take, or kill in the waters of Richmond County any fish in any manner whatsoever, except with a hook and line.

Forbidden
methods.

SEC. 2. That it shall be unlawful to fish in the waters of Richmond County with seines, nets, baskets, or traps, and it shall be unlawful to kill or take any fish in the waters of Richmond County by means of gigs, paddles, or explosives, and it shall be

unlawful to kill or take any fish in the waters of Richmond County by shooting said fish or shooting into the waters of Richmond County.

SEC. 3. That any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars, or imprisoned not more than thirty days, in the discretion of the court. *Provided*, none of the provisions of this act shall apply to fish or fishing in the waters of the Pee Dee River in said county.

Misdemeanor.

Proviso: Pee Dee River excepted.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 146

AN ACT TO AMEND SECTIONS 7 OF CHAPTER 77, AND CHAPTER 116, OF THE PUBLIC LAWS OF 1919, RELATIVE TO THE EXPENDITURE OF THE DOG TAX FUND, SAID AMENDMENTS TO APPLY TO ASHE COUNTY ONLY.

The General Assembly of North Carolina do enact:

SECTION 1. That sections seven of chapter seventy-seven and chapter one hundred and sixteen of the Public Laws of the session of one thousand nine hundred and nineteen, be and are hereby amended as follows: By striking out all of said sections after and including the word "provided" in line three of said sections.

Payment of damages.

SEC. 2. That this act shall apply to Ashe County only.

Application of act.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 147

AN ACT TO AMEND CHAPTER 285 OF THE PUBLIC LAWS OF 1901, AS AMENDED BY CHAPTER 85, PUBLIC-LOCAL LAWS EXTRA SESSION 1920, RELATING TO THE SALARY OF THE TREASURER OF MECKLENBURG COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and eight-five of the Public Laws of one thousand nine hundred and one, as amended by chapter eighty-five, Public-Local Laws extra session one thousand nine hundred and twenty, be and the same is hereby amended by striking out in lines six and seven (the words and figures) "three thousand dollars," and adding in lieu thereof the following: "three thousand six hundred dollars (\$3,600)."

Salary.

Approval by
county commis-
sioners.

SEC. 2. *Provided*, that the salary increase herein granted shall first be approved by the board of county commissioners of Mecklenburg County, and they may fix said salary at an amount not to exceed three thousand six hundred dollars per annum.

When act effective.

SEC. 3. That this act shall be in force from and after January first, one thousand nine hundred and twenty-two.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 148

AN ACT TO AUTHORIZE THE CONSTABLE OF NUMBER EIGHT TOWNSHIP, CRAVEN COUNTY, TO SERVE ALL PROCESS ANYWHERE WITHIN CRAVEN COUNTY.

The General Assembly of North Carolina do enact:

Power to serve
process.

SECTION 1. The constable of Number Eight Township, Craven County, is hereby authorized to serve anywhere within the county of Craven any and all process, summons, writs, orders, judgments or decrees made or issued by or from any of the several justices of the peace of the said Number Eight Township, by the county court of Craven County, and by the Superior Court of Craven County, and for said service said constable is to receive the same compensation as sheriff for service of summons in all civil actions, and such fees in the performance and service of other writs above mentioned as are now provided and allowed by law.

Compensation.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 149

AN ACT TO AMEND CHAPTER 513, PUBLIC-LOCAL LAWS OF REGULAR SESSION OF 1921, RELATIVE TO PROTECTION OF DEER IN HARNETT COUNTY.

The General Assembly of North Carolina do enact:

Section amended.

SECTION 1. That section four of chapter five hundred and thirteen, Public-Local Laws of regular session of one thousand nine hundred and twenty-one, be and the same is hereby amended as follows:

Open season.

SEC. 2. That lines four and five in section four of said chapter, be and the same is hereby stricken out and the following inserted

in lieu thereof: "the first day of November till the fifteenth day of November, both days inclusive in any year."

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 150

AN ACT TO AMEND CHAPTER 7 AND CHAPTER 420 OF THE PUBLIC-LOCAL LAWS OF 1921, PERTAINING TO RECORDERS' COURTS IN ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter seven of the Public-Local Laws of one thousand nine hundred and twenty-one, be amended by striking out all of section three thereof.

SEC. 2. That chapter four hundred and twenty of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out all of section two down to and including the word "committed" in line fourteen thereof. Removal of trials.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 4. That this act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 151

AN ACT TO APPOINT A COTTON WEIGHER FOR THE TOWNSHIP OF FAIRMONT, ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be appointed for the township of Fairmont, Robeson County, North Carolina, one public cotton weigher, sworn to perform his duties faithfully, whose duties shall be to weigh all cotton sold in bales in said township, and make just and proper deductions for water or any other damages, and perform all other duties of public cotton weighers provided by law. Appointment ordered.
To be sworn.
Duties.

SEC. 2. That all cotton sold in bales in the township of Fairmont, Robeson County, North Carolina, shall be weighed by a sworn cotton weigher, who shall give bond in the sum of five hundred dollars, to be filed with the clerk of the Superior Court All baled cotton to be weighed.
Cotton weigher to give bond.

- Compensation.** of said county, for the faithful performance of his duties, and said weigher shall receive as full compensation for his services the sum of sixteen cents per bale for each bale weighed, the seller and purchaser to pay eight cents each, and that the purchaser shall retain eight cents of the purchase price and shall be responsible to said weigher for his fees, to whom said weigher shall look for such fees.
- Term of office.** SEC. 3. The term of office of said cotton weigher shall be six years, beginning the first day of January, one thousand nine hundred and twenty-two, and in the event of a vacancy in said office by reason of death, resignation or other cause, said vacancy shall be filled by the board of commissioners of the town of Fairmont in said township.
- Vacancy.**
- Record of cotton.** SEC. 4. That it shall be the duty of said cotton weigher to keep a record of the cotton belonging to different purchasers and weighed by him, so that cotton belonging to different buyers shall not become mixed on the platform where the weighing is done; and further, it shall be the duty of said cotton weigher to keep a record of all cotton weighed showing the names of the sellers and buyers.
- Records evidence.** SEC. 5. That the records of said cotton weigher shall be evidence in any court when duly and properly authenticated, and his books and his records shall be open for inspection by any person who shall make request to be allowed such privilege.
- Cotton weigher named.** SEC. 6. That A. E. Thompson shall be and he is hereby appointed to fill the first term of office under this act, that is to say, from January the first, one thousand nine hundred and twenty-two to January first, one thousand nine hundred and twenty-eight.
- SEC. 7. That this act shall be in force from and after its ratification.
- Ratified this the 19th day of December, A.D. 1921.

CHAPTER 152

AN ACT TO PREVENT THE USE OF FISH TRAPS AND OTHER DEVICES IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

- Apparatus declared unlawful.** SECTION 1. That it shall be unlawful for any person to trap or net fish, or use seines or set hooks, in any running stream in Cumberland County, without permission of the owner of the land through which streams run.
- Misdemeanor.** SEC. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars (\$100) or more than two hundred
- Punishment.**

dollars (\$200), or imprisoned not less than sixty days, or more than four months, or both in the discretion of the court. This act shall not apply to Cape Fear River.

Cape Fear River
excepted.

SEC. 3. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 153

AN ACT TO PERMIT THE COUNTY OF DURHAM TO MAKE AN APPROPRIATION TO ERECT A MARKER AT THE BENNETT PLACE IN SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the commissioners of the county of Durham be and they are hereby authorized and empowered to use such sum, as in their discretion may be reasonable, from the moneys of the county coming under their care, for the erection of a suitable marker at the Bennett place, west of the city of Durham, to commemorate the historic scenes enacted by Johnston's army at the termination of the Civil War.

Appropriation
authorized.

Object.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 154

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF SURRY COUNTY TO BORROW MONEY FOR ROAD PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Surry County be and it is hereby authorized, empowered, and directed, upon the written request of the highway commission of Surry County, to issue notes of said county in a sum not to exceed fifteen thousand dollars (\$15,000) in any one year. Said note or notes issued under the provisions of this act shall be paid from the road taxes levied in Surry County for the year in which said note or notes is issued: *Provided*, the amount borrowed shall not exceed in any one year the amount of taxes levied that year.

County commis-
sioners to borrow
money.

Request of High-
way Commission.
Amount.

Payment of note
from road taxes.

Proviso: limit of
amount.

SEC. 2. That any note or notes issued under the provisions of this act shall not be discounted, sold or otherwise negotiated at a greater rate of interest than six per cent.

Interest.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.²

SEC. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 155

AN ACT TO AMEND CHAPTER 226, PUBLIC-LOCAL LAWS, EXTRA SESSION 1913, RELATING TO THE SALARY OF THE RECORDER FOR CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

Fees to general
county fund.
Salary of recorder.

SECTION 1. That section eight, chapter two hundred and twenty-six of the Public-Local Laws, extra session one thousand nine hundred and thirteen, be and the same is hereby amended by striking out all after the word "cases" in line nine down to and including the word "sums" in line twelve and inserting in lieu thereof the following: "The said fees to be paid over to the county treasurer to be covered into the general county fund, and the recorder shall receive in lieu of all fees heretofore received by him three hundred dollars (\$300) a year to be paid out of the general county fund. In each and every case there shall be taxed in the bill of costs the following sums, to be paid over to the county treasurer for the use of the general county fund."

Fees taxed for
use of county.

Limitation
removed.

SEC. 2. That section eight be and the same is further amended by striking out all after the word "treasurer" in line twenty-three thereof.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 156

AN ACT TO PROTECT GAME AND FISH IN JACKSON COUNTY.

The General Assembly of North Carolina do enact:

Open season for
deer.

Limit of bag.

Does fully pro-
tected.
Deer in private
preserves.
Penalty first
offense.

SECTION 1. That it shall be unlawful for any person or persons to hunt or kill deer, except between November first and November fifteenth, and during the open season of each year not more than one male deer may be killed by any one person; and does shall not be killed at any time. But this does not prohibit the killing of deer raised in private preserves. It shall be unlawful to hunt or chase deer with dog at any season. Any one violating the

provisions of this section shall be liable to a penalty of fifty dollars or not less than sixty days imprisonment, in the discretion of the court, for the first offense, and for the second offense the penalty shall be one hundred dollars fine or four months imprisonment, in the discretion of the court.

SEC. 2. That it shall be unlawful for any person or persons to hunt or kill grey squirrels, except between October fifteenth and December the first of any year, and no person shall kill more than twenty-five squirrels in any one year. Any one violating this section shall be liable to a fine of twenty-five dollars, or to imprisonment not to exceed thirty days. But a closed season for squirrels shall continue until January first, one thousand nine hundred and twenty-four, but the closed season shall not apply to persons hunting on their own lands.

SEC. 3. It shall be unlawful to hunt or kill quail, pheasants or wild turkeys, except between November fifteenth and January first of any year. But no quail shall be killed at any date before January first, one thousand nine hundred and twenty-four, no pheasants shall be killed before January first, one thousand nine hundred and twenty-four, and no wild turkeys shall be killed before January first, one thousand nine hundred and twenty-seven. Pigeons and cage birds may be killed by the owner at any time, and also eagles, ravens, hawks, owl, crows and English sparrows may be killed at any time, but the killing of any and all other kinds of birds is prohibited at all times.

SEC. 4. That it shall be unlawful to fish for trout in any stream, except between April fifteenth and August fifteenth of any year, and no person shall in any one season take or destroy more than one hundred trout. Any one violating the provisions of this section shall be fined not less than twenty-five dollars, or imprisoned not less than thirty days, within the discretion of the court.

SEC. 5. It shall be unlawful to dynamite or seine for fish in any stream and any one on conviction of the first offense shall be subject to a fine of not less than fifty dollars or imprisonment of not less than sixty days, and for the second and subsequent offense to a fine of not less than one hundred dollars or imprisonment of not less than four months, in the discretion of the court.

SEC. 6. There shall be a closed season for deer and trout until January first, one thousand nine hundred and twenty-four, but this section shall not apply to persons hunting for deer or fishing for trout upon lands or in water leased for hunting or fishing purposes, nor to landowners or their invited guests or licensees hunting deer or fishing for trout upon their own premises.

SEC. 7. Any person furnishing sufficient evidence to convict any one violating the provisions of this act shall receive a sum of ten dollars, to be taxed in the bill of costs against the person convicted.

Second offense.

Open season for squirrel.

Limit of bag.

Punishment.

Close season established.

Land-owners.

Open season for game birds.

Close season.

Pigeons and cage birds.

Nuisances.

Open season for trout.

Limit of catch.

Use of dynamite and seines forbidden.

Punishment.

Close season for deer and trout.

Exceptions.

Fee taxed for informer.

Prima facie
evidence.

SEC. 8. It shall be *prima facie* evidence against any person who is found in the possession of any of the game mentioned in the provisions of this act, except during the open season for same, and except as herein provided.

Application of act.

SEC. 9. That this act shall apply to Jackson County only.

SEC. 10. All laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 157

AN ACT TO PROTECT THE FISH IN THE WATERS OF KEELS CREEK AND CURRITUCK BAY IN HERTFORD AND BERTIE COUNTIES.

The General Assembly of North Carolina do enact:

Fishing with hook
and line only.

SECTION 1. That it shall be unlawful for any person or persons to fish in any way, other than with hook and line, in the waters of Keels Creek and Currituck Bay in Hertford and Bertie counties up to a line extending from Gum Point to Cow Island Point.

Unlawful fishing.

SEC. 2. That any person or persons fishing, or catching any fish with nets, traps, baskets, seines, or in any other way than provided in section one of this act, in the waters therein defined, shall be guilty of a misdemeanor and fined or imprisoned in the discretion of the court.

Misdemeanor.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 158

AN ACT TO AMEND CHAPTER 563 OF THE PUBLIC-LOCAL LAWS OF NORTH CAROLINA, REGULAR SESSION OF 1921, RELATIVE TO SALARIES OF COUNTY OFFICERS IN BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section nine of chapter five hundred and sixty-three (563), Public-Local Laws, session one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out all of the said section nine and in lieu thereof substituting the following: "That the board of county commissioners of Buncombe County shall furnish said board of commissioners

Automobiles to be
furnished.

with two automobiles, said automobiles are to be kept in good repair, and maintained primarily for the use of the commissioner of highways and commissioner of public institutions. That said machines are to be used by said commissioners in the discharge of the official duties of their offices. That the necessary expenses incurred by keeping said machines in good repair and operating the same shall be paid by the county."

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 159

AN ACT TO REGULATE THE FEES FOR SERVING STATE WARRANTS, CIVIL SUMMONSES AND SUBPŒNAS FOR HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the fees for serving State warrants, civil summonses and subpœnas in Haywood County shall be as follows: For serving State warrants, one dollar and fifty cents; for serving civil summonses, one dollar; for serving subpœnas, fifty cents.

SEC. 2. That this act shall apply only to Haywood County.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 160

AN ACT TO REGULATE THE FEES TO BE CHARGED BY THE SHERIFF AND DEPUTIES IN LEE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be charged and collected in Lee County the following fees:

Executing summons or any other writ or notice, one dollar, but the board of county commissioners may fix a less price than one dollar, but not less than fifty cents, for the service of one road order.

Arrest a defendant in a civil action and taking bail, including attendant to justify, and all services connected therewith, one dollar and fifty cents.

Arrest and bail in criminal cases.	Arrest a person indicted, including all services connected with the taking and justification of bail, one dollar and fifty cents.
Imprisonment and release.	Imprisonment of any person in a civil or criminal action, fifty cents, and release from prison, fifty cents.
Executing subpoenas.	Executing subpoena on a witness, fifty cents.
Conveying prisoner.	Conveying a prisoner to jail in another county, ten cents per mile. For prisoner's guard, if necessary and approved by the county commissioners, going and returning, per mile for each, five cents. Expense of guard and all other expenses of conveying prisoners to jail, or from jail to another for any purpose, or to any place of punishment, or to appear before a court of justice of the peace in another county, or in going to another county for a prisoner to be taxed in the bill of costs and allowed by the board of commissioners of the county in which the criminal proceedings were instituted.
Prisoner's guard.	
Expense of removing prisoner.	
Year's allowance.	For allotment of a widow's year's allowance, one dollar and fifty cents. In claim for delivery for serving the original papers in each case, one dollar; and for taking the property claimed, one dollar and fifty cents, with actual cost of keeping the same until discharged by law, to be paid on affidavit of the returning officer.
Claim and delivery.	
Taking and keeping property.	
Conveying prisoners to penitentiary.	For conveying prisoners to the penitentiary, two dollars per day and actual necessary expenses; also one dollar a day and actual necessary expenses for each guard, not to exceed one guard for every three prisoners, as the sheriff, upon affidavit before the clerk of the Superior Court of his county shall swear to be necessary to the safe conveyance of the convicts, to be paid by the State Treasurer, upon a warrant of the Auditor, out of any money in the treasury not otherwise appropriated. The sheriff shall file with the Auditor the affidavit above mentioned, together with a fully itemized account to be sworn to before the Auditor, showing the number of days requisite for the coming and returning and the actual expense of conveying said convict and the guard necessary for their safekeeping, and if the Auditor approves said account, he shall issue his warrant on the Treasurer for the amount thereof.
Sworn accounts.	
Collecting fine and costs.	Collecting fines and costs from convict, five per cent of the amount collected.
Advertising sale.	Advertising a sale of property under execution at each public place required, twenty-five cents.
Seizing specific property.	Seizing specific property under an order of court, or executing any other order of a court or judge, not especially provided for, to be allowed by the court or judge.
Taking bonds.	Taking any bond or undertaking, including furnishing blanks, one dollar.
Keeping property.	The actual expenses of keeping all property seized under process or order of court to be allowed by the court on affidavit of the officer in charge.

Summoning a grand jury or petit jury, for each man summoned, fifty cents, and twenty-five cents for each man summoned on the special venire.

For serving any writ or process with the aid of the county, the usual fee of one dollar and fifty cents, and the expense necessarily incurred thereby, to be adjudged by the county commissioners and taxed as other costs.

Serving process with posse.

Bringing up any prisoner upon a *habeas corpus* to testify or answer to any court or before any judge, two dollars, and all necessary and actual expense for such service, and ten cents per mile by the route most usually traveled, and all expenses for any guard actually employed and necessary.

Bringing up prisoner on habeas corpus.

For summoning and qualifying appraisers, and for performing all duties and laying off homesteads and personal property exemptions, or either, three dollars, to be included in the bill of costs.

Summoning appraisers.

For levying an attachment, one dollar and fifty cents.

Laying off homesteads and exemptions.

For attendance to qualified jurors to lay off dower or for commissioners to lay off year's allowance, one dollar and fifty cents; and for attendance to qualify commissioners or any other purpose, one dollar.

Levying attachment.

Attendance on jurors.

Executing a deed for land or any interest in land sold under execution, one dollar and fifty cents, to be paid by the purchaser.

Executing deeds.

Service of a writ of ejectment, one dollar and fifty cents.

Service writ of ejectment.

For every execution, either in civil or criminal cases, one dollar.

Execution.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 161

AN ACT TO AUTHORIZE THE COMMISSIONERS OF JACKSON COUNTY TO LEVY SPECIAL TAXES TO MEET THE GENERAL INDEBTEDNESS, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners for the county of Jackson are hereby authorized and empowered, at the regular times for levying taxes, to levy a special tax of not exceeding ten cents on the one hundred dollars worth of property and thirty cents on the poll, observing the constitutional equation, to be determined by said board of commissioners for the year one thousand nine hundred and twenty-two, for the purpose of discharging and paying off such general indebtedness as may have been incurred heretofore by said county, or may be incurred during the

Special tax authorized.

Rate.

Purpose.

year one thousand nine hundred and twenty-two, of whatever nature and for whatever purpose said indebtedness may have been incurred.

Levy, collection
and settlement.

SEC. 2. That the taxes herein authorized to be levied shall be collected and accounted for by the sheriff or tax collector of said county of Jackson in the same manner and under the same penalties as provided by law for the collection of other taxes in said county.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 162

AN ACT TO ALLOW THE COMMISSIONERS OF AVERY COUNTY TO ABOLISH THE OFFICE OF COUNTY TREASURER.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section one thousand three hundred and eighty-nine of the Consolidated Statutes be amended by adding after the words "In the counties of" the word "Avery."

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 163

AN ACT TO AUTHORIZE THE COMMISSIONERS OF MECKLENBURG COUNTY TO BORROW MONEY IN ANTICIPATION OF THE SALE OF BONDS AUTHORIZED UNDER THE PROVISIONS OF CHAPTER 331 OF THE PUBLIC-LOCAL LAWS, SESSION 1921.

The General Assembly of North Carolina do enact:

Power to borrow
money.

SECTION 1. That the board of commissioners of Mecklenburg County are hereby authorized and empowered to borrow money on behalf of Mecklenburg County from time to time in anticipation of the sale of road bonds authorized by chapter three hundred and thirty-one, Public-Local Laws, session of one thousand nine hundred and twenty-one, and for the purposes of which said bonds are authorized to be issued, and within the maximum authorized amount of the bond issue then unsold, at a rate of interest not exceeding six per cent, and for that purpose to execute note or notes and to renew the same from time to time by issuing new notes. Said note or notes shall be paid off and discharged out of moneys raised by the sale of said bonds.

Purposes.

Maximum amount.

Interest.

Notes.

Payment of notes.

SEC. 2. That for the purpose of providing for the payment of Special tax. the interest accruing on and the principal at maturity of said notes herein authorized, the board of commissioners of Mecklenburg County shall annually, at the time of levying other taxes, levy a special tax *ad valorem* in addition to all other taxes, sufficient to meet the payment of principal and interest of said notes at maturity thereof.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 164

AN ACT TO AMEND CHAPTER 563 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE SALARIES OF COUNTY OFFICERS OF BUNCOMBE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter five hundred and sixty-three of the Public-Local Laws of one thousand nine hundred and twenty-one be amended by striking out the word "fifteen" in line nine of said section and inserting in lieu thereof the word "eighteen." Salary of stenographer.

SEC. 2. That all laws and parts of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 165

AN ACT FOR THE RELIEF OF THE CLERK OF THE SUPERIOR COURT FOR MECKLENBURG COUNTY.

Whereas C. C. Moore has been clerk of the Superior Court for Mecklenburg County since January first, one thousand nine hundred and twenty; and, Preamble: length of service.

Whereas chapter four hundred and seventeen of the Public-Local Laws of one thousand nine hundred and nineteen, entitled "An act to amend chapter five hundred and fifty-two of the Public-Local Laws of one thousand nine hundred and thirteen, increasing the allowances for assistants in the office of the clerk of the Superior Court, sheriff, and register of deeds for Mecklenburg County, providing for an additional stenographer, and increasing the pay of the members of the county board of commissioners and the county board of education of said county," allowed the said clerk of the Preamble: allowance for clerk hire.

Superior Court of Mecklenburg County the sum of twenty-four hundred dollars (\$2,400) for the hire of such other deputies or assistants as shall be necessary to enable him to faithfully and efficiently discharge the duties of said office; and,

Preamble: allowance not sufficient.

Whereas, on account of the large volume of public business dispatched in the said office of the clerk of the Superior Court since January one, one thousand nine hundred and twenty, and on account of the high cost of living and the consequential advance in the salaries of additional deputies and assistants, it became impossible for the said C. C. Moore to hire such help to attend to the duties of the office upon the allowance above set out; and,

Preamble: expenditure from private funds.

Whereas, from January first, one thousand nine hundred and twenty, to November first, one thousand nine hundred and twenty, the said C. C. Moore claims that he expended out of his own private funds for the benefit of Mecklenburg County, in the employment of other deputies and assistants necessary to do the work of said office, the sum of twelve hundred and fifty dollars (\$1,250): Therefore,

The General Assembly of North Carolina do enact:

Repayment authorized.

SECTION 1. That the treasurer of Mecklenburg County is authorized and directed, when the same is approved by the board of commissioners of Mecklenburg County, to pay to the said C. C. Moore the sum of twelve hundred and fifty dollars (\$1,250) out of funds collected from fees, commissions, etc., for the clerk's office, and which was paid to the treasurer of Mecklenburg County prior to December first, one thousand nine hundred and twenty.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 19th day of December, A.D. 1921.

CHAPTER 166

AN ACT TO AMEND CHAPTER 123 OF THE PUBLIC-LOCAL LAWS OF 1921, ENTITLED "AN ACT TO REGULATE FEES OF THE SHERIFF OF MITCHELL COUNTY FOR CAPTURING ILLICIT DISTILLERIES AND MEN ENGAGED IN THE MANUFACTURE OF LIQUOR, AND TO REGULATE THE SALE OF BITTERS AND EXTRACTS CONTAINING ALCOHOL FOR BEVERAGE PURPOSES, AND FOR OTHER PURPOSES," SO AS TO INCLUDE AVERY COUNTY.

The General Assembly of North Carolina do enact:

Act extended.

SECTION 1. That chapter one hundred and twenty-three of the Public-Local Laws of nineteen hundred and twenty-one be and the same hereby is amended so as to make each and every provision of said chapter apply to Avery County as well as to Mitchell County.

SEC. 2. That said chapter one hundred and twenty-three of the New section.
Public-Local Laws of nineteen hundred and twenty-one be and
the same is hereby further amended by adding after section seven
thereof a new section, as follows:

"SEC. 7½. That this act shall also apply to Avery County." Application of act.

SEC. 3. That this act shall be in force from and after its
ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 167

AN ACT RELATING TO THE LEAVING OF TREES, TRASH,
SAWDUST, OR FISH HEDGES IN ROCKFISH CREEK,
AND OBSTRUCTING SAID CREEK IN ANY WAY AND BY
ANY MEANS IN DUPLIN AND PENDER COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or Placing or leaving
corporation to place, or cause to be placed, or leave any fish obstructions in
hedges, trees, logs, trash, sawdust, or any other substance or creek.
materials in Rockfish Creek in Duplin and Pender counties, or by
any means or in any way hinder and obstruct the natural flow
of the water in said Rockfish Creek. Hindering flow
of water.

SEC. 2. Any person, firm, or corporation found guilty of a Misdemeanor.
violation of any of the provisions of this act shall be guilty of a
misdemeanor, and shall be fined not less than fifty dollars (\$50). Punishment.
or imprisoned not less than thirty days, or both, in the discretion
of the court.

SEC. 3. All laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 4. That this act shall be in full force and effect after its
ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 168

AN ACT TO AMEND CHAPTER 266 OF THE PUBLIC-LOCAL
LAWS OF 1921, IN REGARD TO THE PROTECTION OF
GAME IN CURRITUCK COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixty-six of the
Public-Local Laws of one thousand nine hundred and twenty-one
be amended as follows:

(a) By adding at the end of subsection six of section two the Game commission
following: "The game commission herein established shall have may reduce
license fees.

the power to reduce the license fees named in this act to such sums as they may find to be best from a revenue standpoint for Currituck County."

Additional regulations for granting license.

(b) By adding at the end of section twelve the following: "The said game commission shall also have the power, and it shall be its duty to make such additional rules and regulations in regard to applications for and the granting of licenses as the actual operation of this law and its interpretation by the courts may disclose to be helpful in or necessary to the reasonable execution and enforcement of the law: *Provided*, such rules and regulations shall not be inconsistent with the terms of the act itself, or with the law of the land."

Constitutionality.

(c) By adding at the end of section thirteen the following: "If any section or subsection of this act shall be repealed or held invalid, all the other sections and subsections shall remain in full force and effect."

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 169

AN ACT PROVIDING FOR THE ESTABLISHMENT OF PLANNING COMMISSIONS IN THE CITIES AND TOWNS OF NORTH CAROLINA, AND PRESCRIBING THE POWERS AND DUTIES OF SUCH COMMISSION.

The General Assembly of North Carolina do enact:

Creation of city planning commissions authorized.

SECTION 1. That the governing body of any city or town in the State of North Carolina is authorized and empowered to create and appoint a board to be known as the "City Planning Commission." Such board shall consist of not less than three nor more than five members; one of whom shall be the mayor or an executive officer appointed by the mayor. Of the original appointees to such board, at least two shall be appointed for a term of one year, and the remaining member or members for a term of two years. The services of the ex officio member shall terminate with his tenure in office. The successors of the original appointees shall be appointed for a term of two years. Vacancies upon such board shall be filled by the governing body for the unexpired term. The members of such board shall serve without pay, except that the governing body of any such city or town may prescribe a per diem for attendance upon meetings not to exceed five dollars per meeting.

Personnel of board.

Term of appointed members.

Term of ex officio member.

Vacancies.

Pay of members.

Organization.

SEC. 2. Such city planning board, as soon as practicable after its appointment, shall meet and organize by electing one of its members chairman, and shall also elect a secretary, who may be

a member of such board, and shall meet thereafter at some designated place upon the first Wednesday in each month for the transaction of its business, and oftener if necessary. Monthly meetings.

SEC. 3. The said board is authorized and empowered to employ such clerks and subordinates, including technical and expert advisers, and to incur such expenses as in its judgment may be necessary: *Provided*, that the total amount of expenditures made by such board shall not exceed in the aggregate the amount set apart in the budget of said city or town for such purposes. Employees. Expenses. Proviso: limit of expense.

SEC. 4. Such city planning board shall study the resources, possibilities, and needs of the city or town, and shall prepare plans and maps for the systematic future development and betterment of the city or town, and from time to time make changes in the same, when change is deemed advisable; and to this end shall subdivide the city or town into districts or zones and prepare maps and plans of same, specifying and governing the height, area, and manner of construction of buildings thereafter to be erected, altered, or reconstructed in such zones, the purposes for which buildings and premises therein may be used, and establishing rules governing building lines; and submit same to the governing body for its approval and adoption. Functions of board. Zones. Maps and plans. Building regulations.

SEC. 5. Before any new street is opened, or any existing street is extended, or before any new subdivision for residence, business, or industrial uses is made, the person or persons opening such street or proposing such new subdivision for residence, business, or industrial purposes shall submit a detailed plan with blueprints and other necessary data to such board. It shall be the duty of said board to carefully examine the plans for such subdivisions as regards their nature and purpose, the number, width, character, and location of streets and alleys, and the size, material, and manner of laying of water mains and sewer lines; and transmit such application, with all data, to the governing body, with its recommendations in writing. The jurisdiction of such board concerning the regulation of subdivisions shall extend one mile beyond the corporate limits of such city or town. Said board shall have the right to make recommendations for the correction, widening, or relocating of any interior street to the governing body. Plans for new streets and subdivisions. Board to examine plans. Recommendations. Jurisdiction of board. Recommendations as to existing streets.

SEC. 6. Said board is authorized to make a study of the existing parks, and submit plans for development of same, to locate new parks and recommend to the governing body the acquisition of same, and submit plans for the development of existing playgrounds, and to locate and make recommendations for the acquisition and development of such new playgrounds. Parks and playgrounds.

SEC. 7. Such city planning board may make recommendations for the promotion of the economic and industrial prosperity and the enhancement of the health, comfort, and convenience of the Recommendations for promotion of prosperity and enhancement of health, comfort, and convenience.

Prevention of congestion.

Reports on financing and assessing. Improvements. General recommendatory powers.

Plans for new improvements.

Recommendations as to existing improvements.

Requests to planning board for advice.

Cities and towns to budget expense.

Hearing on adoption of recommendations.

Notice of hearing.

Power to carry out recommendations.

Application of act.

people of such cities and towns. It may study, and in its discretion recommend, ways and means which will tend to prevent or relieve congestion, either of population or traffic, to control the fire hazard, to preserve the natural and historic features of the city or town, and to beautify the same. Such board may also prepare and issue reports on the best method of financing and assessing the cost of public improvements. It may investigate, prepare surveys of, and make recommendations on any matter which will in its opinion make the community a better place to live in or a better place to work in. Plans may be made by such board for new streets, roads, boulevards, alleyways, viaducts, bridges, subways, parks, playgrounds, aviation fields, rail and water terminals, docks, wharves, canals, basins, tunnels, markets, water-front improvements, public utilities, public buildings, and all other public improvements. Wherever any of the foregoing shall exist, then the city planning board may make recommendations as to their respective removal, relocation, widening, or extension, as occasion may suggest or necessity require.

SEC. 8. The governing body of every such city or town shall have the power at any time to request such planning board to give an opinion upon any matter pertaining to the duties of such planning board; but no such request, however, shall deprive said planning board of its right or relieve it of its duty to report at such time as it deems proper upon any matter referred to in the preceding sections of this act.

SEC. 9. The governing bodies of cities and towns are hereby authorized and empowered to make provision in their budgets for the purpose of carrying out the provisions of this act.

SEC. 10. Upon the submission to the governing body of maps and plans subdividing any city or town into districts or zones, under the provisions of section four hereof, it shall be the duty of the governing body, before adopting said subdivision into districts or zones to give a public hearing, notice of the same to be published twice a week for two weeks next preceding such hearing in a newspaper of general circulation published in such city or town, and in the event there is no such newspaper, then by posting a notice of such hearing before the door of the mayor's office and in three other public places for two weeks next preceding such hearing.

SEC. 11. All cities and towns are hereby authorized and empowered, in their discretion, in the exercise of their police powers, to pass and adopt all ordinances and resolutions, and to do all things necessary to carry out the recommendations that may be made by such city planning boards, under the provisions and powers of this act, where not contrary to law.

SEC. 12. This act shall only apply to the counties of Buncombe and New Hanover.

SEC. 13. All acts and parts of acts inconsistent with this act Repealing clause.
are hereby repealed.

SEC. 14. That this act shall be in force from and after its
ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 170

AN ACT TO AMEND CHAPTER 457, PUBLIC-LOCAL LAWS 1919, RELATING TO THE COLLECTION AND DISBURSE- MENT OF DRAINAGE TAXES IN THE COUNTY OF BEAU- FORT.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter four hundred and fifty-
seven (457), Public-Local Laws of one thousand nine hundred and
nineteen, be amended by striking out the word "five" in line four
and inserting in lieu thereof the word "two." Commission of
sheriff.

SEC. 2. That section two of chapter four hundred and fifty-
seven (457), Public-Local Laws of one thousand nine hundred and
nineteen, be amended by striking out in line two the word "two"
and substituting in lieu thereof the words "one-half of one," and
by placing a period after the word "disbursement" in line three
and striking out the remainder of the sentence. Commission of
treasurer.

SEC. 3. That all laws and clauses of laws in conflict with this
act are hereby repealed.

SEC. 4. That this act shall be in force from and after January
first, one thousand nine hundred and twenty-two.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 171

AN ACT TO AMEND THE CHARTER OF THE AURORA GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the Aurora Graded School
District in Beaufort County be amended as follows:

SEC. 2. The said school shall have a board of trustees, com-
posed of five members, as follows: W. A. Thompson, C. L. Board of trustees.
Broome, C. T. Allen, O. M. Hooker, and Wilbur H. Ross, who Term of office.
shall hold office to July, one thousand nine hundred and twenty-
two, when their successors shall be appointed by the board of
education of Beaufort County for a term of two years. Election of
successors.

Control and
management of
schools.

SEC. 3. That the schools in said district shall be under the control and management of the board of education of said county and the superintendent of public instruction of said county, in the same manner and to the same extent as the other public schools now are, except as is hereinafter provided.

Trustees to employ
teachers.

SEC. 4. That said board of trustees above named and their successors in office shall have the right and power to employ teachers for the schools in said district with the consent and approval of the county superintendent of schools.

School tax.

SEC. 5. The board of trustees shall have the power to levy an annual tax on all property in said district subject to taxation, not to exceed fifty cents on the one hundred dollar valuation, and to appoint a collector for said tax, and to appoint a treasurer, but the said collector shall not be paid to exceed five per cent for collecting said special tax, and the said treasurer shall receive no compensation whatever for his services, except actual expenses for stationery and stamps, and the said treasurer shall be a member of the board of trustees.

Tax rate.

Collector.

Treasurer.

Pay of collector.

Pay of treasurer.

Boundary.

SEC. 5½. The boundary line of said district shall be as it now is.

Power to operate
schools.

SEC. 6. The said board of trustees shall have the right and power to operate one or more schools for both white and colored children in said district, the same to be operated and controlled with the consent and approval of the county superintendent, as the other public schools of the said county are now operated.

Powers of board
of education and
county superin-
tendent.

SEC. 7. The board of education and the county superintendent of schools shall have the same powers and authority over the schools of this district as they now have or may be hereafter given over the public schools of said county, except such powers as are herein delegated to the board of trustees of said district.

SEC. 8. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 9. This act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 172

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BERTIE COUNTY TO ISSUE BONDS TO FUND FLOATING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Bond issue
authorized.

Amount.

Purpose.

SECTION 1. The board of county commissioners of Bertie County are hereby authorized to issue and sell bonds of the county to aggregate principal amount not exceeding one hundred thousand dollars for the purpose of funding floating indebtedness of

the county incurred for the necessary expenses thereof. Such bonds shall be in denominations of one thousand dollars each, and shall bear such rate of interest and run for such time or times, not exceeding twenty years from their date, as the said board of commissioners may determine, and shall be signed by the chairman and clerk of the said board of commissioners. They may be sold by the said board of commissioners at a public or private sale on such terms as they may determine.

Denominations.
Interest.
Maturity.
Authentication.
Sale.

SEC. 2. In order to pay the interest on the said bonds and to create a sinking fund to pay them at maturity, the said board of commissioners shall annually, at the time of levying other taxes, levy a sufficient special tax on all the taxable property in the county.

Special tax.

SEC. 3. The powers hereby conferred are additional to any other powers conferred by law, and are not affected by any limitation imposed by any other act, including acts already or hereafter passed at this session of the General Assembly.

Powers additional.

SEC. 4. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 173

AN ACT TO AUTHORIZE THE ISSUE OF REFUNDING BONDS IN CASWELL COUNTY, AND THE LEVY OF A SPECIAL TAX TO RETIRE SAME.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of providing funds to pay for and retire outstanding road bonds of Caswell County as same become due, the highway commission of Caswell County is hereby authorized and empowered, from time to time, as same may be needed, to issue and sell refunding bonds of Caswell County: *Provided*, that the bonds issued under the authority of this act shall not exceed fifty thousand dollars in amount.

Purpose of bond issue.
Issue authorized.
Proviso: limit of amount.

SEC. 2. The said bonds so issued shall mature not less than ten years nor more than thirty years from the date of issue. Said bonds shall be issued in such form and denomination, and with such provision as to time and place and medium of payment of principal and interest as the board of highway commissioners of said county may determine, subject to the limitations and restrictions of this act. They shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. The said bonds shall be signed by the chairman of the highway commission of Caswell County and countersigned by

Maturity.
Form, denomination, and maturity.
Interest.
Authentication.

- the register of deeds of Caswell County, and the seal of Caswell County shall be affixed to each of said bonds by said register of deeds. The said coupons on said bonds shall bear the printed or engraved or lithographed facsimile signature of the said chairman of the said highway commission and the said register of deeds of Caswell County. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signature.
- Delivery.** SEC. 3. Said bonds shall be sold upon sealed proposals of a price not less than par and accrued interest. Before any such sale there shall be published in a newspaper published in Caswell County a notice containing a description of the bonds to be sold, the place of sale, and the time limited for the receipt of sealed proposals, which time shall be not less than ten days after the first publication of such notice. The highway commission may cause such further publication of such notice to be made as the highway commission may deem expedient. All proposals submitted pursuant to such notice shall be opened in public, and the bonds shall be awarded to the highest bidder unless all bids are rejected.
- Sale of bonds.** SEC. 4. The proceeds from the sale of the said bonds shall not be used for any other purpose than that declared by this act:
- Notice of sale.** *Provided*, that purchaser or purchasers of said bonds shall not be required to see to the application of the funds, and that all necessary costs and expenses incurred in having said bonds prepared and the sale of same shall be paid out of the funds arising from the sale thereof.
- Further publication of notice.** SEC. 5. That the money raised by the authority of this act shall be used to retire and refund the Caswell County road bonds now outstanding.
- Award.** SEC. 6. The board of county commissioners of Caswell County is hereby authorized and directed to levy annually a special tax *ad valorem* upon all taxable property in said county for the special purpose of paying the interest on all bonds issued under this act, and to provide a sinking fund adequate to retire said bonds at their maturity, which tax shall be in an amount sufficient for said purposes, and shall be in addition to all other taxes authorized to be levied by said board of county commissioners of Caswell County.
- Specific appropriation of proceeds.** SEC. 7. Nothing contained in this act shall be construed to affect the duties or powers of the board of county commissioners to levy and collect any special taxes required or authorized under any general statute for the maintenance of roads.
- Proviso: obligation of purchaser directed.** SEC. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
- Use of proceeds.** SEC. 9. That this act shall be in force from and after its ratification.
- Special tax.** Ratified this the 19th day of December, A.D. 1921.
- Other road taxes.**
- Repealing clause.**

CHAPTER 174

AN ACT TO AMEND CHAPTER 46 OF THE LOCAL-PUBLIC LAWS OF NORTH CAROLINA, SESSION OF 1917, WITH REFERENCE TO THE COUNTY DEPOSIT LAW OF ROBESON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section eleven of chapter forty-six of the Local-Public Laws of North Carolina, session of one thousand nine hundred and seventeen, entitled "An act to provide for the more economical disbursement of public funds in the county of Robeson," be amended as follows, to wit: In line seven of said section strike out the word "fifty" and insert in lieu thereof the words "one hundred and fifty."

Bond of
financial agent.

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in full force and effect from and after the first day of May, one thousand nine hundred and twenty-two.

When act
effective.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 175

AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE MECKLENBURG COUNTY GENERAL HOSPITAL.

The General Assembly of North Carolina do enact:

SECTION 1. That there shall be established in and for the county of Mecklenburg a board of trustees to be known as the "Board of Trustees of Mecklenburg County General Hospital," said board to be composed of seven citizens of Mecklenburg County, all of said members to be appointed by the present General Assembly, three for a term of four years, two for a term of three years, and two for a term of two years. At least three members of said board shall always be chosen from Mecklenburg County outside the limits of the city of Charlotte, and at least two members shall be women. No person shall be a member of said board unless he or she is a qualified elector of said county and resident therein. Said board shall be a body politic and corporate, may sue and be sued, plead and be impleaded, adopt a common seal, acquire property by gift, devise or bequest, may contract and be contracted with, buy and sell real and personal property, and do any and all things which may be necessary for the accomplishment of the purposes of this act, and may purchase and hold all property which may be necessary, for the exercise of the powers herein conferred upon it.

Board of trustees
of Mecklenburg
County General
Hospital.

Composition and
appointment of
members.

Terms of office.

Qualifications for
appointment.

Incorporation.

Corporate
powers.

Beginning of
existence.

SEC. 2. That the term of office of the members of said board of trustees shall begin, and said board shall be in legal force and effect, on the first Monday of the month next succeeding the date the result of the bond election hereinafter authorized is certified to the board of county commissioners: *Provided*, the result of said election shows that the majority of the qualified voters in said election have voted in favor of the issuance of said bonds herein authorized; and on said date, the said trustees shall qualify by taking the oath of civil officers and organize by the election of one of their number as chairman and one as secretary, and by the election of such other officers as they may deem necessary. No trustee shall receive any compensation for services as member of said board, but he may be reimbursed for any cash expenditure actually made while engaged exclusively in the performance of his official duties as a member thereof, statement of which shall be filed with the secretary, and payment thereof shall be allowed only by affirmative vote by all the trustees present at a lawful meeting of said board.

Trustees to
qualify and
organize.
Organization.

Pay of trustees.

By-laws, rules and
regulations.

SEC. 3. Said board shall make and adopt such by-laws, rules and regulations for their guidance and for the government of the hospital as may be deemed expedient for the economic and equitable conduct thereof. They shall have exclusive control of the expenditures of all moneys, and the purchase of the site or sites, the purchase or construction of any hospital building or buildings, of the supervision, care and custody of the grounds, rooms or buildings purchased or constructed, or any property belonging to said hospital or set apart for that purpose.

Exclusive control
of expenditures.

Appointments.
Compensation.

SEC. 4. Said board shall have power to appoint suitable superintendents, matrons, and necessary assistance, and fix their compensation, and shall also have power to remove such appointees, and all such appointees and employees shall hold only at the pleasure of said board, and they shall in general carry out the spirit and intent of this act, in establishing and maintaining said hospital.

Appointees to hold
at pleasure of
board.

Monthly meetings.

SEC. 5. Said board shall hold meetings at least once each month, and shall keep a complete record of all its proceedings. Four members of said board shall constitute a quorum for the transaction of business. One of said trustees shall visit, inspect and examine the hospital at least once each week, and said board shall during the first week in January in each year file with the governing body of the city of Charlotte, and with the governing body of Mecklenburg County, a report of their proceedings with reference to such hospital, and a statement of all receipts and expenditures during the year, and they shall at such time certify a budget for the necessary expenses and improvements for the ensuing year.

Quorum.

Weekly inspec-
tions.

Annual reports.

Budget.

Purchase of site.

SEC. 6. Said board shall, as soon as possible after organization under the provisions of this act, acquire by purchase or gift a

suitable site for said hospital, and prepare or have prepared plans and specifications for such hospital, and commence at once and prosecute without delay such building or buildings as in their judgment may be necessary to provide for the treatment and care of the sick and injured of the city of Charlotte, and of Mecklenburg County. The board may extend the use of the hospital to persons residing outside of said county and city upon such terms and conditions as it may prescribe.

Plans for building.
Erection of buildings.

Nonresident patients.

SEC. 7. When such hospital is established, the physicians, nurses, attendants, and all persons sick therein, and all persons approaching or coming within the limits of said hospital and its property, and all furniture or other articles brought there, shall be the subject of such rules and regulations as such board may prescribe. The board may exclude from the use of said hospital any and all persons who willfully violate such rules and regulations.

Persons and things subject to prescribed rules.

Exclusion for violation of rules.

SEC. 8. Any person becoming sick or being injured or maimed within said city or county shall be entitled to the benefits of said hospital, but every person who is financially able shall pay to said board, or to such officer thereof, as it may designate, a reasonable compensation for occupancy, nursing, care, medicine, or attendance, according to such rules and regulations as shall be prescribed by said board, the said hospital always being subject to such reasonable rules and regulations as the board may adopt in order to render the use of the hospital of the greatest benefit to the greatest number.

Person entitled to benefits.

Payment for care and treatment.

SEC. 9. It shall be the duty of said board at all times to admit all such persons as may be in need of hospital care and attention within said city and county, who are unable to pay for such care and attention, and to provide for their care and attention without cost within said hospital so long as it may be needed, and no person shall be excluded by reason of his poverty, misfortune, or inability to pay.

Patients admitted without cost.

SEC. 10. It shall be the duty of said board to make or cause to be made a survey of the indigent sick in said county and city, and to provide that such indigent sick be conveyed to said hospital and there maintained and afforded suitable and free treatment so long as it may be necessary.

Survey of indigent sick.

Removal to hospital and free treatment.

SEC. 11. The said board shall establish and maintain in connection therewith and as a part of said hospital a training school for nurses.

Training school for nurses.

SEC. 12. Said board is authorized and empowered to maintain a dairy, ambulances, and other necessary and convenient equipment, appurtenances and apparatus, and to perform and do such other acts as in their opinion may be necessary or expedient for the successful operation and management of the institution, and carrying out the plain intent of this act.

Dairy, ambulance, and other equipment.
General authority.

Election on bond
issue to be called.

Tickets.

Bond issue
authorized.

Law governing
election.

Notice of election.

Registration.

Printing and
distribution of
tickets.

Blanks for return.

Payment of
expenses.

Registration.

Challenge day.

New registration.

Count and return
of votes.

SEC. 13. For the purpose of ascertaining the will of the voters of Mecklenburg County upon the question of issuing the bonds authorized in this act and the approval of the provisions thereof, the board of county commissioners of Mecklenburg County is hereby authorized to call an election to be held at all the voting precincts in said county at such time as said board may determine. At said election all voters of Mecklenburg County qualified to vote at such election may vote a written or printed ticket. Those who favor the purposes of this act shall vote a ticket with the words "For County General Hospital Bonds" written or printed thereon, and those who oppose the purposes of this act shall vote a ticket with the words "Against County General Hospital Bonds" written or printed thereon; and if a majority of the qualified voters at said election vote "For County General Hospital Bonds" and the result shall be so declared, then the bonds authorized in this act shall be issued and all the provisions of this act shall be in full force and effect. The said election shall be held in the manner provided by law for the election of members of the General Assembly, except as otherwise provided in this act. If, and when said election is called, it shall be the duty of the chairman of the board of elections to publish a notice of said election daily for one week in one or more newspapers published in said county, stating the day the registration books shall be open, the day the registration shall close, the day of the election, and the purpose of the election, and shall see that the registrars of the several voting precincts in the county are provided in due time with the registration and poll books of their respective precincts, shall cause to be printed and distributed to the registrars a sufficient number of tickets both for and against County General Hospital bonds, and shall provide the registrar of each precinct with at least three blank forms for the returns of said election. All the expenses incurred under this act by the chairman of the county board of elections shall be paid by the board of county commissioners upon an itemized statement duly verified by him. The board of county commissioners in calling said election shall also fix the days for the opening and closing of the registration books; and on each Saturday between said days, each registrar shall attend at his polling place for the registration of voters; and shall attend, with the poll-holders, at the polling place, on the Saturday next succeeding the day the registration books are closed, for the challenge and hearing of the same, of any person registered whose right to vote shall be challenged. The said board of county commissioners shall order a new registration of the voters of Mecklenburg County for such election. The registrars and poll holders shall be those then holding such positions, and the chairman of the board of elections is authorized to fill any vacancies occurring, and from time to time as they occur. Immediately

upon the close of the election the votes cast at each precinct shall be counted and the number cast for and against County General Hospital bonds and the number of registered and qualified voters shall be ascertained, and two abstracts thereof shall be filled in and signed by the registrar and judges of election, one of which shall be delivered on or before the second day after the election at eleven o'clock a. m. to the chairman of the board of elections, and the other to the register of deeds of the county of Mecklenburg with the registration and poll books, which returns shall be returned by one selected by and from among the registrars and poll-holders in each precinct. The registrars and poll-holders shall receive the same compensation as now fixed by law for their services, to be paid by the board of county commissioners.

Pay of election officers.

SEC. 14. It shall be the duty of the board of elections of the county of Mecklenburg to meet in the courthouse of said county on the second day after said election, at twelve o'clock of the day, and duly canvass the returns made of said election, and judicially declare and determine the result thereof, and shall certify the result to the board of county commissioners as soon as the same is determined, and post a copy of their canvass at the courthouse in said county; and if it shall be declared and determined that the majority of the qualified voters in said election have voted for "County General Hospital Bonds," then it shall be the duty of the board of commissioners to issue the bonds and levy the tax to pay the principal and interest of same provided in this act, and all the provisions of this act shall be in full force and effect. No right of action or defense founded upon any invalidity of said election shall be asserted, nor shall the validity of said election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within thirty days after the determination of the result of said election by the said board of elections.

Canvass of returns.

Certificate of results.

County commissioners to issue bonds and levy tax.

Actions attacking validity of election.

SEC. 15. The said bonds shall be advertised and sold by the board of commissioners in the manner provided in the Municipal Finance Act for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.

Advertisement and sale of bonds.

Sale below par forbidden.

SEC. 16. In the event that a majority of the qualified voters of Mecklenburg County shall at said election vote for the said bond issue, the county of Mecklenburg, by and through its board of county commissioners, is hereby authorized, empowered and directed to issue its bonds for the purpose of acquiring, building, and equipping the said County General Hospital to an amount not exceeding five hundred thousand dollars (\$500,000), which said bonds shall be of the form and tenor prescribed by the board of commissioners of said county; shall be printed, engraved or lithographed, and executed on behalf of said county by the signing

Further authorization for issue of bonds.

Amount.

Execution.

by the chairman of said board of commissioners, and shall be countersigned by the clerk thereof, who shall attach thereto the seal of the county.

Denominations.

Interest.

SEC. 17. The said bonds shall be issued in such denominations, shall bear interest at such rates not exceeding six per cent (6%) per annum, payable in equal semiannual amounts, and shall be made payable, both as to principal and interest, at such place or places as the said board of county commissioners may determine. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal, or as to both principal and interest; and the coupons of said bonds shall bear a printed, lithographed, or engraved facsimile signature of the county treasurer who is in office at the date of said bonds.

Delivery of bonds.

The delivery of bonds executed as in this act prescribed by officers in office at the time of such signing and execution, shall be valid notwithstanding any change in officers occurring after such signing.

Special tax.

SEC. 18. The board of commissioners of said county is hereby authorized, empowered, and directed to levy annually, when other county taxes are levied, a special tax *ad valorem* upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest becomes due, which tax shall be in amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board; and the said taxes when collected shall be kept separate and apart from all other taxes and shall be used only for the purpose for which they were collected.

Taxes kept
separate.

Specific appro-
priation.

Investment of
sinking fund in
bonds of issue.

SEC. 19. The board of commissioners of said county are empowered and directed to invest any and all moneys received from the special tax herein authorized to be levied, over and above a sum sufficient to pay the interest on the bonds issued and outstanding, in the purchase of any of such bonds, when the same can be purchased at a price advantageous to said county. But in the event the bonds cannot be purchased, then the said commissioners are authorized and directed to invest said moneys in the securities in which guardians and other trustees are permitted to invest their trust funds. The said securities shall be kept by the treasurer of the county in some secure place and shall be examined by the chairman of the board of commissioners or some person duly appointed by said board at least once in each six (6) months, and a complete statement of them, duly verified by him, filed with the clerk of the said board of commissioners and recorded in the minute book of said commissioners.

Alternative
investments.

Care and examina-
tion of securities.

Semiannual
statements.

Maturity of bonds.

SEC. 20. The said bonds shall be serial bonds, payable in twenty (20) equal, annual installments from the issuance thereof, and shall bear such a date after said election as the said

board of county commissioners may determine. The bonds shall bear the serial numbers and be numbered consecutively.

SEC. 21. The proceeds of the sale of said bonds shall be paid to the treasurer of said county, and by him separately held and accounted for, and the sheriff of the said county shall collect the special taxes herein authorized to be levied as other taxes are collected and the same paid to the treasurer of said county and by him held as a separate fund from other taxes and by him accounted for. The treasurer of the county shall give a special bond, in such sum as the said board of trustees shall fix, conditioned for the safe keeping and accounting for the proceeds received from the sale of said bonds and other moneys, and property, and taxes, that the said treasurer shall receive or shall be paid to him under the provisions of this act, the premium on said bond to be paid by the said board of trustees, and he shall be liable to the same pains and penalties, indictment and punishment for misuse, embezzlement or failure to account therefor as for other county funds.

Custody of proceeds of bonds.

Collection and settlement.

Treasurer to give special bond.

Payment of premium.
Liability of treasurer.

SEC. 22. The said board of county commissioners of Mecklenburg County are further authorized to levy and collect annually a special tax *ad valorem* upon all property subject to taxation under the state law in said county of not more than five cents (5c) on the one hundred dollars (\$100) valuation of property for the special purpose of creating a maintenance fund for the suitable and proper operation of said hospital. Said taxes are to be collected as all other taxes are and to be kept separate in the tax books of the county to be set aside as a maintenance fund to be used in the operation and maintenance of said hospital.

Special tax for maintenance fund.

Collection and settlement.

SEC. 23. The said hospital herein authorized to be established and maintained shall be located within the corporate limits of the city of Charlotte, or within two miles thereof.

Location.

SEC. 24. For the disbursement of all funds lawfully expended by said board of trustees, the secretary of said board shall draw its warrant upon the treasurer of the county, which warrant shall be signed by the chairman and secretary and countersigned by one other member, and it shall be the duty of the treasurer to pay the same. The form of the warrant shall be prescribed by said board and shall on its face state its purpose. The secretary shall issue no warrant on the treasurer unless there is sufficient money in the hospital fund to pay the same.

Warrants for disbursements.

Form of warrant.
Limit on issue.

SEC. 25. The following named citizens and residents of Mecklenburg County are hereby appointed members of the board of trustees of the Mecklenburg County General Hospital: E. A. Cole, Mrs. Jessie Allen Person and T. M. Shelton, whose terms of office shall be for four (4) years after qualification, or until their successors are appointed and qualified; F. C. Sherrill and Mrs. Ida McDonald Hook, whose terms of office shall be for three

Trustees appointed.

Election of successors.	years after qualification, or until their successors are qualified: C. O. Kuester and W. M. Garrison, whose terms of office shall be for two years, or until their successors are appointed and qualified. Their successors shall thereafter be appointed by the board of county commissioners of Mecklenburg County during the month of December in even numbered years for a term of four years. Upon failure of any member of the said board of trustees, now or hereafter appointed, to qualify or in case of the death or resignation of any member, said vacancy shall be filled by appointment made by the remaining members of said board.
Vacancies.	
Repealing clause.	SEC. 26. All laws and clauses of laws in conflict with this act are hereby repealed. SEC. 27. This act shall be in force and effect from and after its ratification. Ratified this the 19th day of December, A.D. 1921.

CHAPTER 176

AN ACT TO ABOLISH THE ROAD DISTRICT IN COOPER'S TOWNSHIP, NASH COUNTY.

The General Assembly of North Carolina do enact:

Law repealed.	SECTION 1. That chapter four hundred and eighty-three of the Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby repealed, and that chapter twenty-eight of the Public-Local Laws of one thousand nine hundred and nineteen, be and the same, as to Cooper's Township Road District, is hereby reenacted.
Law reenacted.	
	SEC. 2. This act shall be in force and effect from and after its ratification. Ratified this the 19th day of December, A.D. 1921.

CHAPTER 177

AN ACT TO AUTHORIZE THE TYRRELL COUNTY ROAD COMMISSION TO PAY AND DISCHARGE CERTAIN INDEBTEDNESS OUT OF FUNDS AT THEIR DISPOSAL.

The General Assembly of North Carolina do enact:

Payment authorized.	SECTION 1. That the Tyrrell County Road Commission is hereby authorized and empowered to pay off and discharge, out of any funds which it may have or which may come into its hands for the purpose of building roads and bridges in Tyrrell County, including the proceeds of the sale of any road bonds, a certain outstanding indebtedness of four thousand three hundred and
Amount.	

seventy-six and eight-hundredths dollars (\$4376.08) with interest, which indebtedness was incurred by the board of county commissioners of Tyrrell County for money to pay for work and labor done and performed on the roads and bridges of Tyrrell County and for road machinery and equipment to work the roads of said county.

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 178

AN ACT TO PROMOTE THE BUILDING AND REPAIRING OF SCHOOLHOUSES IN THE COUNTY OF JOHNSTON.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Johnston County are hereby authorized and empowered to issue bonds on behalf of any school district, or any school district that may hereafter be created by the board of education of Johnston County under the general law or by special act of the Legislature; and said bonds shall be issued for the purpose of repairing, altering, making additions to, or erecting new buildings and furnishing same with a suitable equipment, or repairing or altering, or making additions to any school building in Johnston County, or for purchasing school-house grounds or playground equipment, or for providing and furnishing homes for teachers, or for equipping homes for teachers and schoolhouses with necessary sanitary equipment. Said bonds shall bear a rate of interest not exceeding six per cent, and shall mature at such time or times not exceeding thirty years, and shall be of such denomination, and the principal and interest shall be payable at such place or places as the board of county commissioners may determine. Said bonds shall be signed by the chairman of the board of county commissioners and shall be attested by the clerk of said board, and the seal of the county affixed thereto, and the coupons thereto attached shall bear the printed, lithographed, or etched *facsimile* signature of the clerk of said board.

Bond issue for any school district authorized.

Purpose of bond issues.

Interest rate.

Maturity.

Authentication of bonds.

SEC. 2. None of said bonds, however, shall be issued unless authorized by a majority of the qualified voters of said school district of Johnston County as now created and existing, or as shall hereafter be created and existing by order of the county board of education of Johnston County, or by any general or special legislative enactment, by an election ordered and held in the following manner: Upon a petition of the county board of

Bond issues to be voted on.

Petition for election.

Notice of election.	education of Johnston County, which petition shall state the amount of the bonds and the purpose for which they are to be issued, the board of county commissioners shall, after thirty days notice at the courthouse door and three public places in said school district, hold an election to ascertain the will of the people in any school district whether there shall be issued bonds for said school purposes and whether a sufficient special tax shall
Election of officers.	be levied to pay the principal and interest on said bonds. The board of county commissioners shall appoint a registrar and two poll-holders and shall designate a polling place, and shall order
New registration.	a new registration in said school district, and the election shall be held under the laws governing general elections, as near as
Law governing election.	may be, and the registrar and poll-holders shall canvass the vote cast and shall declare the result and shall duly certify the returns to the board of county commissioners, and the same shall be
Count and return of votes.	recorded in the records of said board of commissioners: <i>Provided</i> , the expense of holding said election shall be paid out of the general school fund of the county. At such election those who are in favor of the issuing of said bonds and the levying of said tax shall vote a ticket upon which shall be written or printed the words "For School Building Bonds," and those who are opposed shall vote a ticket upon which shall be written or printed the words "Against School Building Bonds."
Proviso: expense of election. Tickets.	SEC. 3. In case a majority of qualified voters of any school district shall vote for an issue of school bonds, it shall then be the duty of the board of county commissioners to forthwith issue said bonds and turn same over to the board of education, which board is hereby authorized to sell said bonds at public or private sale, but for not less than par and accrued interest.
County commissioners to issue bonds.	SEC. 4. Whenever any bonds have been issued on behalf of any school district the board of county commissioners is hereby authorized and directed to levy annually a special tax <i>ad valorem</i> on all taxable property in such school district for the purpose of paying the principal and interest of the said bonds, as such principal and interest becomes due, which special tax shall be in an amount sufficient for the said purpose and shall be in addition to all other taxes authorized to be levied in the said school district.
Sale of bonds.	SEC. 5. The board of education of Johnston County shall appoint a treasurer of the sinking fund or funds created by issuing bonds under this act, whose duty it shall be to compute and submit to the board of county commissioners of Johnston County the necessary rate of taxation required in each district to pay the interest on and create a sufficient sinking fund to retire such
Special tax.	bonds at maturity as are issued by such district or districts. The county board of education of Johnston County shall require of said treasurer a sufficient bond before any funds are received by him, the cost of such bonds shall be borne by each district pro-
Treasurer of sinking fund.	
Bond of treasurer.	

portionately to the fund of such district in the hands of said treasurer. And said treasurer shall pay each sinking fund interest at the rate of six per cent per annum for all funds of such district as may be in his hands. Said treasurer shall also on the first Monday in July of each year make a written annual report to the county board of education and to the board of county commissioners which report shall be incorporated in the minutes of the meetings of the respective boards.

Payment of interest to sinking fund.

SEC. 6. The provisions of this act shall be applicable to any school district which exists now or may hereafter be created in Johnston County, and any such school district or districts may take advantage of this act at any time for any of the purposes enumerated in section one of this act.

Application of act.

SEC. 7. That all moneys arising from the sale of said bonds under the provisions of this act shall be deposited with the treasurer of the school fund of Johnston County, and shall be expended and disbursed by order of and under the authority and direction of the county board of education of Johnston County.

Deposit of funds.

Orders for disbursements.

SEC. 8. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 179

AN ACT TO AUTHORIZE SWAIN COUNTY TO ISSUE JAIL BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of county commissioners of Swain County be, and they are hereby fully authorized and empowered to issue the negotiable coupon bonds of Swain County in the sum of not exceeding fifty thousand dollars (\$50,000), the proceeds of which are to be used for the purpose of enlarging, improving, repairing, altering and equipping the present jail, or for the purpose of erecting and equipping a new jail for Swain County, as the board of commissioners may, in their discretion, determine. The said bonds shall draw interest at a rate of not exceeding six per cent per annum, payable semiannually, and said bonds shall be in such form and tenor, and in such denominations, and payable at such time or times, not exceeding forty years from the date thereof, and the principal and interest of the bonds shall be payable at such place as the board of commissioners of Swain County may determine. The bonds shall be signed by the chairman of the board of commissioners, and countersigned by the clerk, and shall have the corporate seal of said county impressed

Bond issue authorized.

Amount.

Use of proceeds.

Interest.

Maturity.

Authentication.

Sale of bonds.
Sale below par
forbidden.

Special taxes.

thereon, and it shall be sufficient for the coupons attached to said bonds to bear the facsimile signature, either printed or lithographed, of the chairman of said board of county commissioners. The bonds may be disposed of by said board of commissioners at public or private sale, as they may deem best. No sale of said bonds shall be made at less than par.

SEC. 2. That for the purpose of paying the principal and interest of said bonds, the board of county commissioners is hereby authorized, empowered and directed to levy annually, at the time other taxes are levied, a special tax upon all the taxable property in said county at a rate and in an amount sufficient to pay the principal and interest of said bonds as the same become due.

Powers additional.

SEC. 3. The powers conferred by this act are in addition to, and not in substitution for, those conferred by any other act, general or special, and this act shall not be affected by any condition, restriction or limitation contained in any other act, general or special, of the General Assembly, heretofore enacted or enacted at the present session of the General Assembly.

SEC. 4. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 180

AN ACT TO AMEND CHAPTER 176, PUBLIC-LOCAL LAWS OF 1911, RELATING TO THE RECORDER'S COURT OF NASH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-four, chapter one hundred and seventy-six of the Public-Local Laws of one thousand nine hundred and eleven, is hereby repealed and the following is submitted in lieu thereof:

Election of prosecuting attorney.

Oath of office.

Term of office.

Election of
successor.
Vacancy.

"SEC. 24. The board of commissioners of Nash County shall on the first Monday in April, one thousand nine hundred and twenty-two, elect a prosecuting attorney for said court, who shall have the same qualifications as the recorder, and shall take an oath similar to the one now required of solicitors before entering upon the discharge of his duties, and who shall hold office until the next regular election wherein county officers are elected, and until his successor shall be duly elected and qualified; and should a vacancy occur in said office at any time the same shall be filled by the election of a successor with the qualifications herein provided, for the unexpired term by the board of county commissioners at a regular or special

meeting called for that purpose. The successor of the first prosecuting attorney herein provided for and each succeeding prosecuting attorney shall be nominated and elected in the county in the same manner and at the same time as is now provided by law for the nomination and election of the elective officers of the county, and in the general election for such officers and the said prosecuting attorney elected as herein provided shall qualify and assume office at the same time as, and his term of office shall be coterminus with, the other elective officers in said county. Such prosecuting attorney shall have the same qualifications as the recorder. He shall prosecute all criminal causes in said court of which said court has final jurisdiction, or in which said court acts only as a committing magistrate under the same rules, as near as may be, as the solicitor prosecutes in the Superior Court. Said prosecuting attorney shall be allowed the same fees as are allowed solicitors and the same shall be collected under the same rules as the solicitor's fees are collected in the Superior Court of Nash County; but no fees shall be taxed for said prosecuting attorney for cases in which the said recorder acts only as a committing magistrate."

Election of successors.

Qualifications.
Duties.

Fees.

SEC. 2. That nothing herein contained shall be construed as discontinuing the term of office of the present prosecuting attorney of said court.

Term of present attorney.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 181

AN ACT VALIDATING CERTAIN COURTHOUSE BONDS OF STANLY COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The issue and sale of two hundred and fifty thousand dollars courthouse bonds of Stanly County as authorized by resolution of the county commissioners passed twenty-sixth of November, one thousand nine hundred and twenty-one, are hereby validated.

Bond issue validated.

SEC. 2. In order to provide for the interest on, and a sinking fund for the retirement of the said bonds, the board of county commissioners is authorized to levy and collect annually a sufficient special tax upon all real and personal property in the said county.

Special tax.

SEC. 2 (a). That at the next general election, to be held in the year one thousand nine hundred and twenty-two, the board of county commissioners of Stanly County shall submit to the

Question of bond issue to be submitted at general election.

vote of the qualified electors of Stanly County the question whether the courthouse bonds of Stanly County in the amount of two hundred and fifty thousand dollars (\$250,000), shall be issued and sold as provided in section one of this act; and whether special taxes to retire same shall be levied as provided in section two of this act. That at the said election the qualified electors favoring said issue and sale and said levy shall vote a ballot on which shall be written or printed the words "For Bonds for a New Courthouse." and those opposed shall vote a ballot upon which shall be written or printed the words "Against Bonds for a New Courthouse." The said election shall be conducted under the same rules and regulations as apply to the election of members of the General Assembly, as near as may be. If, at the said election, the majority of qualified electors of Stanly County shall vote "For Bonds for a New Courthouse," then the provisions of section one and section two of this act shall be deemed to be ratified and confirmed, and the board of county commissioners of Stanly County may proceed thereunder. But if a majority of said qualified electors shall not vote "For Bonds for a New Courthouse," then the provisions of section one and section two of this act shall be null and void, the provisions of section one and section two of this act shall not be effective and shall convey no power or authority until after the election provided for in this section has been held.

Ballots.

Law governing election.

Effect of election.

SEC. 3. This act shall be in effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 182

AN ACT TO ALLOW THE COMMISSIONERS OF HERTFORD COUNTY TO APPROPRIATE ANY SURPLUS IN THEIR HANDS TO PAY FOR BRIDGE CONSTRUCTION IN SAID COUNTY.

The General Assembly of North Carolina do enact:

Appropriation
authorized.

SECTION 1. That the board of county commissioners of Hertford County, be and they are hereby authorized and fully empowered to appropriate and use for bridge construction in their county, any surplus, should there be or should hereafter arise any such surplus in their hands from the taxes collected, and should in their discretion it be found for the best interest of the county that such surplus should be so expended.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 183

AN ACT TO AMEND AND UNIFY THE PUBLIC ROAD LAWS
OF CASWELL COUNTY AND AFFECTING THE EXPENDI-
TURE OF THE PROCEEDS OF CERTAIN ROAD TAX
LEVIES.

The General Assembly of North Carolina do enact:

SECTION 1. That from and after the ratification of this act free labor upon the public roads of Pelham Township, Caswell County, shall be authorized and required just as such labor is required by law in the other townships of Caswell County.

Free labor in
Pelham Township.

SEC. 2. That this act hereby repeals and abolishes that special township road tax of Pelham Township which is and has been levied in said township only, and which was authorized by vote which abolished free labor for Pelham Township and which has been levied in Pelham Township in lieu of said free labor.

Special tax
abolished.

SEC. 3. That section one, chapter two hundred and ninety-seven of the Public-Local Laws, one thousand nine hundred and twenty-one, be and the same is hereby amended by striking from lines eight and nine the following words: "*Provided*, that this section shall not apply to Pelham Township."

Proviso: as to
Pelham Township.

SEC. 4. That chapter two hundred and ninety-seven, Public-Local Laws, one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out section seven.

Section stricken
out.

SEC. 5. That whereas the board of county commissioners of Caswell County, by authority conferred by the Consolidated Statutes by chapter five hundred and sixty, Public Laws, one thousand nine hundred and seven, as amended by chapter three hundred and five, Public Laws, one thousand nine hundred and nine, as amended, and by other special statutes, is authorized, empowered, and directed, and is authorized and empowered to levy certain general and special taxes for the purpose of providing funds for the construction, maintenance, and repair of the public roads of Caswell County: and, whereas the said construction, maintenance, and repair of the public roads of Caswell County is now controlled and supervised by the highway commission of Caswell County; and, whereas it is desirable that the general and special road taxes levied in Caswell County should be determined, as far as is consistent with law, by the said highway commission of Caswell County: Now, therefore, the board of county commissioners is hereby authorized, empowered and directed to levy annually, under the authority of the aforesaid general and special laws, general and special road taxes in Caswell County, in such amounts as shall be requested by said highway commission by written request certified to said board of county commissioners at least ten days prior to the time at which the county tax rate

Authority for
road taxes.

Preamble: deter-
mination by high-
way commission.

County commis-
sioners to levy tax.

Request by high-
way commission.

Proviso: limit of amount.

Highway commission to submit request.

Certificate.

Preamble: requirement for expenditures in townships.

Taxes subject to order of highway commission.

Expenditures by general system.

Taxes for bond issues.

Maintenance tax.

Alterations of conflicting laws.

is fixed: *Provided*, that such amount or amounts shall not be in excess of the general or special road taxes authorized by law.

SEC. 6. The highway commission of Caswell County shall annually submit to the board of county commissioners of Caswell County, at least ten days prior to the time at which the general county tax rate is fixed by the board of county commissioners of Caswell County, a written request specifying the amount of general and special county road tax to be levied in Caswell County, which said request shall be certified by the chairman of said highway commission.

SEC. 7. That, whereas it is now provided by chapter five hundred and sixty, Public Laws one thousand nine hundred and seven, as amended; by chapter three hundred and five, Public Laws, one thousand nine hundred and nineteen, as amended, and by other special statutes, that the proceeds derived from the levy of special road taxes in Caswell County shall be expended proportionately in the several townships if Caswell County; and, whereas it is desirable that said proceeds of said special taxes be expended upon the public roads of Caswell County as a county system and without regard to township lines: Now, therefore, it is hereby ordered and directed that the taxes levied under the authority of the aforesaid acts, or under the authority of any other special act authorizing special taxes for public roads of Caswell County shall be paid to the county treasurer of Caswell County and held by him subject to the order of the highway commission of Caswell County, and the said highway commission is hereby authorized and empowered to expend the proceeds of said taxes upon the construction, maintenance and improvement of the public roads of Caswell County without regard to township lines and without regard to any proportion between expenditures in the several townships.

SEC. 8. That this act shall not be considered to amend, repeal, or in any way modify the collection or expenditure of any taxes authorized for the purpose of paying the interest on or retiring any bonds of Caswell County or of any township of said county; and this act shall not be considered to modify or in any way affect the tax authorized and directed by section three thousand six hundred and fifty-four of the Consolidated Statutes.

SEC. 9. That all laws and clauses of laws in conflict with any of the provisions of this act are hereby modified and altered as is provided by this act and in such manner as to conform to the provisions of this act.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 184

AN ACT RELATIVE TO SELLING QUAIL IN GASTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm, or corporation to sell or offer for sale quail or partridges within the county of Gaston.

Selling or offer to sell forbidden.

SEC. 2. That it shall be unlawful for any person, firm, or corporation to carry or ship, or in any manner to transport quail out of said county to any other place for the purpose of selling same, and the fact of taking quail out of said county shall be *prima facie* evidence that such quail were taken out of said county for the purpose of sale. The possession of any quail or partridge by any produce dealer, markets or stores, within the above named county shall be *prima facie* evidence of the violation of this act.

Shipping or transporting game for sale forbidden.

Transporting *prima facie* evidence.

Possession *prima facie* evidence.

SEC. 3. That any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars or imprisoned not more than thirty days.

Misdemeanor.
Punishment.

SEC. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 185

AN ACT TO REGULATE THE PROCEDURE AND TO CURE DEFECTS IN PRACTICE BEFORE CLERKS OF SUPERIOR COURT IN MATTERS PERTAINING TO ORGANIZATION OF DRAINAGE DISTRICTS.

The General Assembly of North Carolina do enact:

SECTION 1. That in any special proceeding heretofore instituted for the establishment of drainage districts in which the final report of the engineer and board of viewers has not been filed within the time prescribed by law and no orders of continuance have been entered, it shall be the duty of the clerk of the Superior Court before whom such proceeding may be pending, upon motion made in writing by the petitioners, or their attorney or attorneys, to issue a notice, which shall be in writing and which shall be served upon all of the landowners within the proposed district who did not sign the original petition, directing the parties named therein to appear on a date named before the court and file any objections or exceptions to such final report.

Notice to landowners.

Nonresidents and minors.	If there are landowners who reside out of the county in which such proceeding may be pending, or if there are minors who own land within the proposed district, service of said notice shall be made in the same manner as is now provided by law for service of summons in such cases. Upon the service of said notice as herein provided for, all persons upon whom same is served shall be deemed to be in court as fully as if originally served with summons in such proceedings, and shall be bound by all orders and decree thereafter entered in said proceeding. The failure to serve, post or publish any notice or notices which may be required by law shall be cured by the service of the notice as herein provided for, and all parties upon whom such notice may be served shall be regularly in court and shall be bound by the final decree entered in any such proceeding. That all irregularities and delays in such proceedings shall be cured and the entire proceeding made regular to the date of the hearing provided for in the notice, and the proceedings from that date shall be conducted and controlled in the same manner as is now provided for by law.
Effect of notice.	
Omissions cured.	
Irregularities cured.	
Proceedings after hearing.	

SEC. 2. That this act shall apply to Hyde County only.

SEC. 3. All laws and parts of law in conflict with this act are hereby repealed.

SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 186

AN ACT TO ESTABLISH A STATUTORY FORM OF A DEED OF TRUST FOR NEW HANOVER COUNTY.

The General Assembly of North Carolina do enact:

Form adopted.	SECTION 1. That the following form of a deed of trust, as used in many of the counties of the State of North Carolina, be and the same is hereby adopted for New Hanover County, to wit:
---------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

STATE OF NORTH CAROLINA—NEW HANOVER COUNTY.

Form.	THIS INDENTURE, made and entered into this..... day of..... A.D. 19....., by and between of State of North Carolina, part... of the first part, trustee of State of North Carolina, part... of the second part, and.....
-------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

....., of
 State of North Carolina.
 part.... of the third part:

Witnesseth: That whereas the said.....

.....
 part..... of the first part,indebted to the said part.....
 of the third part in the sum of.....
 dollars, for which the said part..... of the first part ha.....
 executed and delivered to the said part..... of the third part.....
 note of even date with this deed, in the sum of.....
dollars, payable.....after date,
 with interest on said sum of.....dollars
 from.....at the rate of six per centum per
 annum, payable....., and it has
 been agreed that the payment of the said debt shall be secured
 by the conveyance of the land hereinafter described:

Now, therefore, in consideration of the premises, and for the
 purpose aforesaid, and for the sum of one dollar to the part.....
 of the first part paid by the part..... of the second part, said
 part..... of the first part ha..... bargained, sold, given, granted and
 conveyed, and by these presents do..... bargain, sell, give, grant,
 and convey to the said part..... of the second part, and.....
 heirs and assigns, a certain tract of land lying and being in
 County of.....
 State of North Carolina, and more particularly described as
 follows:

[Give description.]

To have and to hold said land and premises, with all the
 rights, privileges, and appurtenances thereunto belonging, to said

.....
 part..... of the second part,heirs and assigns, upon
 the trusts and for the uses and purposes following, and none
 other, that is to say:

If the said part..... of the first part shall fail or neglect to pay
 interest on said note and debt as the same may hereafter become
 due, or both principal and interest at the maturity of the same,
 or any part of either, then, on application of said part..... of the
 third part, or.....assignee, or any other person who may
 be entitled to the moneys due thereon, it shall be lawful for and
 the duty of the said.....
 part..... of the second part, to advertise, at the courthouse door
 and in three other public places in New Hanover County, for
 thirty days immediately preceding such sale, and in some news-
 paper published in said county at least once a week for four
 weeks, therein appointing a day and place of sale, and at such

time and place to expose said lands at public sale, to the highest bidder, for cash, and upon such sale to convey said lands to the purchaser in fee simple.

And the said....., trustee....., first retaining five per centum commission on the proceeds of the whole of said land sold, as a compensation for making such sale, shall apply so much of the residue of said proceeds of such sale as may be necessary to pay off and discharge said note and debt, and all interest then accrued and due thereon, and shall pay the surplus, if any remain, to said part..... of the first part.

And the said part..... of the first part further covenant and agree to and with said parties of the second and third parts thatwill keep the premises above conveyed insured in some responsible insurance company, acceptable to said trustee....., in the sum of..... dollars, and that.....will keep all taxes paid upon said property; and if said part..... of the first part shall fail to do this, said part..... of the second part or said part..... of the third part may effect such insurance and pay such taxes, and all premiums so paid for insurance and amounts so expended in payment of taxes by said part..... of the second part or third part, with interest from date of payment at..... per cent, shall be secured under this conveyance and be due and payable at the time of the next installment of interest thereafter. And the said parties of the first and second parts do hereby covenant and agree to and with the said part..... of the third part, that in case the said trustee..... shall die, become incapable of acting, renounce.....trust, or for other reason become unacceptable to said part..... of the third part, then upon notice to the parties of the first and second parts, if living, the part..... of the third part may appoint, in writing, a trustee to take the place of the part..... of the second part, and upon the probate and registration of the same, the trustee thus appointed shall succeed to all the rights and powers of the part..... of the second part.

It is further stipulated and agreed that any statement of fact or recital by said trustee..... in.....deed in relation to the nonpayment of the money secured to be paid, the amount due, the advertisement, sale, receipt of the money, and the execution of the deed to the purchaser, shall be received as *prima facie* evidence of such fact.

And it is stipulated and agreed that if said part..... of the first part shall pay off said note and interest, and discharge fully the trusts herein declared, before such sale, or the same shall be done by a sale of said lands, then so much of said lands as may not have been sold, and are not required to meet any of said

trusts, shall be reconveyed to said part..... of the first part, or the title thereto be revested in.....according to the provisions of law.

In testimony whereof the said.....
do..... hereto subscribe.....name.....and affix
.....seal..... the day and year first above written.

By
President.

Attest:

Secretary.

.....[SEAL]
.....[SEAL]
.....[SEAL]
.....[SEAL]
.....[SEAL]
.....[SEAL]

Trustee.

Signed, sealed and delivered in the presence of

STATE OF NORTH CAROLINA—NEW HANOVER COUNTY.

This.....day of....., 19....., personally came before me.....
Probate—when corporation party.

....., who, being duly sworn, says that
.....knows the common seal of.....
....., and is acquainted with
....., who is president of said corporation, and that.....the said.....
is secretary of the said corporation, and saw the said president sign the foregoing instrument, and saw the said common seal of said corporation affixed to said instrument by said president, and that....., the said.....
signed.....name in attestation of the execution of said instrument in the presence of said president of said corporation.

Let the instrument, with this certificate, be registered.

Witness my hand and seal this.....day of.....
19.....

.....
Clerk of Superior Court of New Hanover County.

Notary Public.

Commission expires the.....day of....., 19..... Probate.

STATE OF NORTH CAROLINA—NEW HANOVER COUNTY.

I, _____,
 _____,
 do hereby certify that _____

personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed; and the said _____ wife of _____, being by me privately examined, separate and apart from her said husband, touching her voluntary execution of the same, doth state that she signed the same freely and voluntarily, without fear or compulsion of her said husband, or any other person, and that she doth still voluntarily assent thereto.

Witness my hand and seal this _____ day of _____, 19.....

Clerk of Superior Court.

Notary Public.

Commission expires _____ day of _____, 19.....

STATE OF NORTH CAROLINA—NEW HANOVER COUNTY.

The foregoing certificate of _____ of _____ County, is adjudged to be correct. Therefore let the instrument, with the certificate, be registered.

Witness my hand this _____ day of _____, 19.....

Clerk of Superior Court.

Record books.

SEC. 2. That the county commissioners of New Hanover County shall procure one or more record books containing said form, that the blanks may be easily and readily filled in by the register of deeds of said county.

Fees for registration.

SEC. 3. That the fee for registering a deed of trust, when substantially in said form, shall be the same as is now prescribed by law for registering a mortgage in a similar record book now provided by law for that purpose in New Hanover County.

SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 187

AN ACT TO AUTHORIZE WAKE COUNTY TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. The board of county commissioners of Wake County is hereby authorized to issue bonds of said county in an aggregate principal amount not exceeding three hundred and ninety thousand dollars (\$390,000), and to apply the proceeds of the sale of said bonds to any or all of the following purposes, viz.: (1) paying notes or other temporary indebtedness heretofore incurred for constructing, reconstructing or improving county roads or bridges in Wake County, and (2) paying notes or other temporary indebtedness heretofore incurred for other necessary expenses of said county. Said board is hereby further authorized to levy annually a special tax *ad valorem* upon all taxable property in said county, for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in amount sufficient for said purpose and shall be in addition to all the other taxes authorized to be levied by said board.

Bond issue
authorized.

Amount.

Payment of bridge
and road notes.

Payment of other
debts.

Special tax.

SEC. 2. Said bonds may be issued either all at one time or from time to time in separate issues. Each issue shall mature in annual installments or series, the first of which shall be payable not more than three years after the date of the bonds of such issue, and the last not more than forty years after such date. No such installment or series shall be more than one and one-half times greater in amount than the smallest prior installment or series of same bond issue.

Issue of bonds.

Maturity.

Proportion of
installments.

SEC. 3. Said bonds shall be issued in such denominations, shall bear interest at such rates, not exceeding six per cent per annum, payable semiannually, and shall be made payable at such place or places as said board of county commissioners may determine. They may be either coupon bonds or registered bonds, and if issued in coupon form be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Wake County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and coupons of such bonds shall bear a printed or lithographed or engraved facsimile signature of the county treasurer. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid, notwithstanding any change in officers occurring after such signing.

Denominations.

Interest.

Coupon or
registered.

Authentication.

Delivery of
bonds.

SEC. 4. Said bonds shall be sold upon sealed proposals at a price not less than par and any interest accrued up to the time of delivery of the bonds sold. Before any such sale, there shall be published at least once in a newspaper published in the city of Raleigh a notice containing a description of the bonds to be

Sale at not
below par.

Notice of sale.

Guaranty of bids.

Opening of bids
and award.

Right to reject
bids.

Specific appro-
priation of
proceeds.

Obligation of pur-
chaser divested.

Powers additional.

Repealing clause.

sold, the place of sale and the time limited for the receipt of proposals, which shall be not less than ten days after the first publication of such notice. The board of county commissioners may cause such further publication of such notice to be made as the board may deem expedient. The notice of sale shall require that all bids accompanied by a certified check drawn to the order of the county of Wake, or cash, for or in an amount equal to two per centum of the face amount of bonds bid for, to secure the county against any loss resulting from the failure of the bidder to comply with the terms of his bid. All proposals submitted pursuant to such notice shall be opened in public, and the bonds shall be awarded to the highest bidder, unless all bids are rejected. The county shall have the right to reject all bids.

SEC. 5. The proceeds of the sale of such bonds shall be placed by the county treasurer in a separate fund and used only for the purpose for which the bonds were issued. The purchaser of the bonds shall not be bound to see to the application of the proceeds.

SEC. 6. The powers granted by this act are granted in addition to and not in substitution for existing powers of Wake County, and are not subject to any limitation or restriction contained in any other law.

SEC. 7. All laws and parts of laws in conflict with this act are hereby repealed.

SEC. 8. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 188

AN ACT TO VALIDATE THE ISSUE OF CERTAIN ROAD BONDS OF WATAUGA COUNTY, AND TO AUTHORIZE SALE OF SAME.

The General Assembly of North Carolina do enact:

Bond issue
validated.

SECTION 1. That a certain issue of road bonds of Watauga County, aggregating twenty-five thousand dollars (\$25,000), dated February first, one thousand nine hundred and twenty-one, and bearing interest at the rate of six per cent per annum, issued under authority of chapter three hundred and twelve of the Public Laws of one thousand nine hundred and nineteen, by Watauga County, is hereby validated in all respects, and the said bonds are hereby validated and shall be considered to have been properly issued, notwithstanding any errors connected with the proceedings of the board of county commissioners or with the sale of said bonds. The board of county commissioners of

Issue and delivery
of bonds author-
ized.

Watauga County is hereby authorized and empowered to issue and deliver said bonds in accordance with the proceedings of the board on June sixth, one thousand nine hundred and twenty-one, and to issue and sell and deliver said bonds to such purchaser as the said board of county commissioners shall determine and designate.

Sec. 2. That the said bonds shall be incontestable after delivery, notwithstanding any omissions in the details of advertising or other proceedings, or any defects therein. Bonds incontestable after delivery.

Sec. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

Sec. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 189

AN ACT TO REPEAL CHAPTER 569 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION 1903, ENTITLED "AN ACT TO PROVIDE FOR BETTER ROADS IN MORVEN TOWNSHIP, ANSON COUNTY," AND FOR THE REPEAL OF ACTS AMENDATORY THERETO, AND TO RESTORE TO THE COMMISSIONERS OF ANSON COUNTY JURISDICTION OVER THE PUBLIC HIGHWAYS OF SAID TOWNSHIP.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and sixty-nine of the Public Laws of one thousand nine hundred and three, entitled "An act to provide for better roads in Morven Township, Anson County," be, and the same is hereby repealed. Specific repeal.

Sec. 2. That chapter five hundred and sixty-eight of the Public Laws of one thousand nine hundred and seven, entitled: "An act to amend chapter five hundred and sixty-nine of the Public Laws of one thousand nine hundred and three, the Morven Township Road Law," be, and the same is hereby repealed. Specific repeal.

Sec. 3. That all taxes levied and collected under and by virtue of either of the foregoing acts now in the hands of the treasurer of Anson County, or which may hereafter come into his hands under tax levies authorized by either of the preceding acts, shall be expended and applied by the board of commissioners of Anson County for the construction or maintenance of the public roads of Morven Township, Anson County, and all funds which may be in the hands of the board of supervisors of the public roads of Morven Township shall be turned over by them to the treasurer of Anson County, to be applied by the commissioners of Anson Application of tax heretofore levied.

Proviso: payment
of debts.

County for the purposes aforesaid: *Provided, however,* the "Supervisors of Public Roads of Morven Township" shall be authorized and empowered to pay any debts incurred by them out of any funds now in the hands of the treasurer of Anson County to their credit, or which may hereafter come into the hands of the treasurer of Anson County under and by virtue of the provisions of either of the foregoing acts.

County law ex-
tended to town-
ship.

SEC. 4. That all laws heretofore passed by the General Assembly for the construction, improvement, or maintenance of public highways of Anson County, other than Morven Township, shall hereafter be construed to embrace Morven Township, and all tax levies authorized by said acts, or either of said acts, shall hereafter be levied upon all property and polls in Morven Township in the same manner and way, and to the same extent as such taxes may be levied and collected from property and polls in all other townships in Anson County. The board of commissioners of Anson County shall hereafter exercise the same jurisdiction, supervision and control over the public highways of Morven Township as they are authorized to exercise over all other public highways of Anson County.

Jurisdiction of
county commis-
sioners.

Equipment.

SEC. 5. That the supervisors of public roads of Morven Township shall surrender and turn over to the board of commissioners of Anson County all tools, road machinery and appliances now in their hands, and heretofore used by them in the construction and maintenance of the public roads in Morven Township, and the commissioners of Anson County are authorized to use and employ said tools, road machinery and other appliances for the construction and maintenance of the public highways of Morven Township, or any other township in Anson County.

General repealing
clause.

SEC. 6. That all laws or clauses of laws in conflict with this act shall be, and the same are hereby repealed.

SEC. 7. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 190

AN ACT TO AMEND CHAPTER 262 OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE ROADS OF GRAHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixty-two of the Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by adding at the end of section twelve the following: *Provided,* this act shall not apply

Proviso: applica-
tion of act.

to Cheoah Township; and, *provided further*, that the office of treasurer of the highway commission of Cheoah Township be and the same is hereby abolished, and the sheriff of Graham County shall settle with said highway commission.”

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 191

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CALDWELL COUNTY TO ISSUE BONDS FOR THE PURPOSE OF PROVIDING A COUNTY HOME FOR SAID COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Caldwell County are hereby authorized and directed, upon the request of the commission hereinafter named, to issue bonds of said county to an amount not to exceed seventy-five thousand dollars (\$75,000), of such form and tenor and in such denominations and bearing such rate of interest, not exceeding six (6) per cent per annum, and payable as to principal and interest at such time or times, and at such place or places, as shall be determined by the special commission named in section three hereof. The proceeds of said bonds shall be used for the purpose of providing an adequate county home for said county.

SEC. 2. The funds arising from a sale of said bonds shall be turned over to the county treasurer and be disbursed by him upon an order of the commission hereinafter appointed, signed by the secretary thereof and approved by its chairman. The treasurer shall not be entitled to any additional compensation for handling said fund, but any additional premium on the bond of said treasurer rendered necessary by the provisions hereof shall be paid out of the special fund hereby created.

SEC. 3. All details with respect to the sale of said bonds, their terms and form, and the expenditure of the proceeds of a sale thereof shall be under the supervision of a commission composed of the following named members: J. C. Seagle, F. C. White, W. J. Lenoir, W. H. Craddock, and T. F. Seehorn. The board of commissioners of Caldwell County are authorized and directed to issue the said bonds upon the request of the said commission named in this paragraph or a majority of them. The said commission shall be entitled to receive their actual expenses incurred in the discharge of their duties hereunder, and to fill any vacancy occurring in their number by resignation or otherwise.

Office abolished.

Bond issue authorized.

Amount.

Interest.
Maturity.

Use of proceeds.

Custody and disbursement of proceeds.

No additional compensation.

Commission.

Bonds issued on request of commission.

Pay of commissioners.

Vacancies.

- Special tax.** SEC. 4. For the purpose of providing for the payment of said bonds and the interest thereon, the said board of commissioners annually hereafter shall levy so long as any of said bonds remain outstanding and unpaid, such additional tax, or taxes, as may be necessary to pay said bonds as they may hereafter become due and payable, and the interest thereon as it may accrue and become due.
- Repealing clause.** SEC. 5. That all laws and clauses of laws in conflict with this act are hereby repealed.
- SEC. 6. That this act shall be in force from and after its ratification.
- Ratified this the 19th day of December, A.D. 1921.

CHAPTER 192

AN ACT TO AUTHORIZE NORTHAMPTON COUNTY TO ISSUE ROAD AND BRIDGE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

- Bond issue authorized.** SECTION 1. The board of county commissioners of Northampton County is hereby authorized, upon the conditions and subject to the limitations and restrictions set forth in this act, to issue bonds of said county in an aggregate principal amount not exceeding five hundred thousand dollars, for any one or more of the following purposes, viz.: laying out, opening, altering, constructing, and improving county highways in said county, and constructing, reconstructing, and altering county bridges in said county. Said board is hereby further authorized to levy annually a special tax *ad valorem* upon all taxable property in said county for the special purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and in addition to all other taxes authorized to be levied by said board.
- Amount.**
- Purposes.**
- Special tax.**
- Bond issue to be voted on.** SEC. 2. The bonds hereby authorized shall not be issued, nor shall said special tax be levied, unless and until the question of issuing the bonds shall be submitted to the qualified voters of Northampton County at a special election to be held for that purpose, and a majority of the qualified voters voting on said question shall be in favor of issuing the bonds. The board of county commissioners is hereby authorized to cause a special election to be held for said purpose at such time as may be designated by the board. The board of county commissioners shall cause notice of the election to be posted at the courthouse door in Northampton County at least thirty days before the
- Special election.**
- Notice of election.**

election, and to be published once in each of the four successive weeks immediately preceding the election in some newspaper published and circulating in Northampton County.* The board of county commissioners shall name the registrars and judges of election for the voting precincts of the county for said election, and it shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who favor the issuance of said bonds shall vote a ballot on which shall be written or printed the words "For Road and Bridge Bonds," and the voters who are opposed to the issuance of said bonds shall vote a ballot on which shall be written or printed the words "Against Road and Bridge Bonds." At the close of the election the votes shall be counted and returns thereof made to the board of county commissioners of Northampton County, for which purpose said board shall cause blank abstracts to be printed and furnished to the registrars and judges of election. On the first Thursday following the election said board of county commissioners shall meet as a canvassing board, shall receive the returns of said election, shall judicially pass upon the returns, and shall judicially determine and declare the result of said election, all of which shall be recorded in the records of said board. The returns shall be executed in duplicate, and one copy shall be delivered to the board of county commissioners as aforesaid, and the other filed with the clerk of the Superior Court of Northampton County. In all respects other than those herein mentioned, said special election shall be held and conducted and the qualifications of voters at said election determined, as nearly as may be practicable, in accordance with the general law relating to the holding and conducting of elections for members of the General Assembly and the determination of the qualifications of voters at such elections. The expense of holding said special election shall be paid out of the general funds of the county. The board of county commissioners shall cause a notice containing a brief statement of the result of said election as determined by the board to be published at least once in a newspaper published in Northampton County. No right of action or defense founded upon any invalidity of said election shall be asserted, nor shall the validity of said election be open to question in any court upon any ground whatever, except in an action or proceeding commenced within sixty days after the first publication of said notice: *Provided, however*, that a copy of this sentence shall be incorporated in said notice. The board of county commissioners may, in its discretion, order a new registration for said special election, but such a new registration shall not be necessary unless ordered by the board.

Sec. 3. If a board or body other than the said board of county commissioners shall have charge and control of the county highways of Northampton County, and such other board shall at any

Election officers.

Printing and distribution of ballots.

Ballots.

Count and return of votes.

Blanks for abstracts.

Canvass of returns.

Record.

Law governing election.

Expense of election.

Publication of result.

Actions on validity of election.

Proviso: notice.

New registration optional.

Separate administration of highways. Requests for bond issues.

time or times make any request to said board of county commissioners in regard to the time or times or the amount or amounts in which said bonds shall be issued, or in regard to any other matter respecting said bonds, it shall be the duty of the board of county commissioners to comply with such request, it being intended by this act to vest the power to issue said bonds in the board of county commissioners, but subject to the direction and control of the separate board or body, if any, having charge and control of the county highways of said county.

Issuance of bonds.	SEC. 4. The bonds authorized by this act may be issued as one issue or divided into two or more separate issues, and in either
Maturity.	case may be issued all at one time or from time to time. Each issue shall so mature that the aggregate principal amount of the issue shall be payable in annual installments, beginning not more than three years after the date of the bonds of such issue and
Proportion of installments.	ending not more than thirty years after such date. No such installment shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If all bonds of any one issue are not delivered simultaneously, the bonds of such issue outstanding at any one time shall mature as aforesaid.
Form, denominations and conditions.	SEC. 5. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place, and medium of payment of principal and interest, as the board of county commissioners of Northampton County may determine, subject to the limitations and restrictions of this act. The bonds shall bear
Interest.	interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made register-
Coupon or registered.	able as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commis-
Authentication.	sioners of Northampton County, and the county seal shall be affixed to the bonds and attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved <i>facsimile</i> signature of the chairman of said board of county commissioners who is in office at the date of the bonds.
Delivery.	The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid, notwithstanding any changes in officers occurring after such signing.
Sale of bonds.	SEC. 6. Said bonds shall be sold in the manner provided in the Municipal Finance Act, one thousand nine hundred and
Sale below par forbidden.	twenty-one, for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.
Appropriation of proceeds.	SEC. 7. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which the bonds were issued. The purchaser of the bonds shall not be
Obligation of purchaser divested.	bound to see to the application of the proceeds.

SEC. 8. The powers granted by this act are granted in addition to and not in substitution for existing powers of Northampton County, and are not subject to any limitation or restriction contained in any other law. Powers additional.

SEC. 9. All laws and parts of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 193

AN ACT RELATING TO PUBLIC ROADS AND BRIDGES IN NORTHAMPTON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. A body to be known and designated as the "Highway Commission of Northampton County" (hereinafter referred to as the highway commission, or the commission) is hereby created in and for Northampton County. The commission is hereby constituted a body politic and corporate, under the name and style aforesaid. The commission may sue and be sued, adopt a common seal, purchase or otherwise acquire and hold all property which may be necessary for the exercise of the power of the commission, and do any and all things which may be necessary for the proper accomplishment of the purposes specified in this act. Highway commission of Northampton County.

SEC. 2. The highway commission shall be composed of seven members, and W. J. Long, L. H. Taylor, B. D. Stephenson, John Esten Griffin, H. C. Maddry, L. E. McDaniel, and Mark Bridgers are hereby appointed members of the commission, to serve until the first Monday in December, one thousand nine hundred and twenty-two. At the general election to be held for the year one thousand nine hundred and twenty-two, and at each general election to be held thereafter for the election of county officers, there shall be elected by the qualified voters of Northampton County five members of the highway commission, to serve for a term of two years. The term of office of each member shall be deemed to continue until the election and qualification of his successor. If for any cause there should be a vacancy in the commission, the remaining members thereof, or member thereof, shall appoint some person who is a citizen and taxpayer of Northampton County to fill such vacancy, and the person so chosen shall serve for the unexpired term. The members of the highway commission, before entering upon the discharge of their duties, in addition to the oath to support the Constitution and laws of the United States, and of the State of North Carolina, shall take

Incorporation.

Corporate name.

Corporate powers.

Number of commissioners.

Commissioners named.

Term of office.

Election of successors.

Term of office.

Vacancies.

Commissioners to qualify.

Oath of office.	before the clerk of the Superior Court of Northampton County the following oath of office, which oath shall be signed by each member and shall be attested by said clerk and recorded in the book of official oaths, to wit: "I, _____, do solemnly swear (or affirm) that I will honestly, diligently, and faithfully perform the duties of the office of member of the highway commission of Northampton County to the best of my knowledge, skill and ability, so help me God."
Meeting for organization.	SEC. 3. The highway commission shall meet at the courthouse in Jackson, within twenty days after the date on which this act takes effect, and shall proceed to organize by the election of one of its members as chairman, and some competent person as secretary. The commission shall hold a regular meeting at the courthouse in Jackson on the first Monday in each month, and special meetings may be held at any time upon the call of the chairman or any two members of the commission, upon two days notice to the members who do not join in the call. The members of the commission shall receive as compensation, while actually engaged in the performance of their duties, the sum of five dollars per diem and mileage; but no per diem shall be paid for more than one day in any one month. The secretary shall receive such salary or per diem as the commission may provide and shall give such bond as the commission may determine.
Organization.	
Monthly meetings.	
Special meetings.	
Pay of commissioners.	
Limit.	SEC. 4. The secretary of the commission shall keep a record and minutes of its proceedings in a book to be provided for that purpose, which book, together with all other records, papers and vouchers, shall be at all times kept open to the inspection of the public.
Salary of secretary.	
Bond of secretary.	
Record of proceedings.	
Record open for inspection.	
Superintendent of highways.	SEC. 5. There shall be elected by the highway commission annually a competent, skillful and experienced person, having practical experience in modern methods of road building, who shall be known and designated as the "Superintendent of Highways"; and there shall also be elected annually (if the highway commission deems it to be necessary), a skilled and experienced civil engineer, also experienced in modern methods of road building, who shall assist the superintendent of highways in the discharge of his duties as fixed by this act, and who shall be known and designated as the "Highway Engineer." The same person may be appointed both as superintendent of highways and as highway engineer. The said superintendent of highways and highway engineer (if one be elected) shall be paid a just and reasonable compensation, to be fixed by the commission, and the salaries shall be paid out of the taxes to be levied and collected under this act.
Highway engineer.	
Salaries of superintendent and engineer.	
Superintendent to give bond.	SEC. 6. Before entering upon the discharge of his duties the superintendent of highways shall give bond in the penal sum of five thousand dollars, with surety to be approved by the commission, conditioned upon the faithful performance of his duties

and the proper accounting for all funds which may come into his hands by virtue of this act, which bond shall be approved by the commission and filed with the secretary. The commission in like manner may cause the highway engineer to give such bond as the commission may, in its discretion, determine. In case such bonds be given in surety companies, then the premiums thereon shall be paid by the commission from the road taxes to be collected under the provisions of this act.

Bond of highway engineer.

Premiums on bonds.

SEC. 7. The highway commission, or the superintendent of highways under its direction and as its agent, shall have power and authority to employ and fix the rate of compensation of such overseers, foremen, laborers, and other employees, as may be necessary to be employed to carry out the provisions of this act, and the persons so employed shall be at all times under the supervision and subject to the full authority of the commission and its agents, and the commission shall have full authority at all times to suspend, remove or discharge any of its employees, including the superintendent of highways and the highway engineer.

Other employees.

Suspension or removal of employees.

SEC. 8. The highway commission shall perform all the duties which have heretofore been performed, and exercise all the powers heretofore exercised by the board of county commissioners of Northampton County, or by the road officials of the several townships within said county, or by any other body or person now or heretofore acting under authority of existing law in relation to the public roads and bridges of said county, whether under general law or by special statute; and the management and control of all the public roads and bridges within said county shall be vested absolutely and entirely in the highway commission, except roads and bridges under the exclusive control and management of the authorities of an incorporated city or town, or the authorities of the State of North Carolina. The highway commission, or its duly authorized agent, shall have power and authority to supervise, direct, and have full charge and control of the building, maintenance, and repair of all said public roads and bridges, including the control of the county convict force. It shall have full and complete authority to determine what roads or parts of roads shall be worked and improved and how, when and in what manner the work shall be done it shall have full charge and control of the laying out of new roads, the widening or relocating of public roads now in use, and the discontinuing old roads, and it shall have full and complete power and authority to do any and all things necessary to be done in the proper furtherance and for the prompt discharge of said duties and all other duties imposed upon it by this act.

Duties and powers of highway commissioners.

Management and control of roads and bridges.

Further enumeration of powers.

SEC. 9. The system of working the public roads of Northampton County by townships, expending within each township the road taxes collected within that township, is hereby abolished; and

Township system abolished.

Expenditure of road funds.	hereafter all public roads of said county shall be worked, improved, maintained, and repaired, and all public bridges built, cared for, and kept up from the taxes and other moneys authorized by this act to be expended by the highway commission, and said taxes and other moneys may be expended for roads or bridge purposes in accordance with this act as the same may be necessary in any part of the county without respect to the township or section from which the taxes or other moneys were derived:
Proviso: apportionment of work.	<i>Provided, however,</i> that in expending the receipts from road taxes to be levied and collected under the provisions of this act, the highway commission shall disburse the same so that the public roads and bridges in each section of the county shall be kept in as good a state of repair, so far as practicable, as the public roads and bridges are in other sections of the county.
Prisoners subject to work on roads.	SEC. 10. Any person in Northampton County who shall be convicted in any of the courts of said county, whether Superior, justices', mayors', or other courts, and sentenced to work on the public roads, shall be assigned into the custody and control of the highway commission of Northampton County by the board of county commissioners of said county, or other authority having charge of said prisoners, whenever the highway commission shall request said board of county commissioners or other authority so to do. Said prisoners while in the custody and under the control of the highway commission shall be employed on such road work or bridge work as may be deemed best by the highway commission, or, if at any time said prisoners cannot, in the judgment of the highway commission, be advantageously employed on such work, it shall be lawful for the highway commission to hire out said prisoners, for reasonable and proper consideration, as one body or in a gang or gangs, to any person, firm or corporation, public or private, for the performance of other kinds of work, whether road work or other work. The expense of maintaining and guarding said prisoners while employed or hired out by the highway commission shall be paid out of the taxes levied for road purposes under the provisions of this act, or out of the moneys received as compensation for their services. The highway commission is hereby authorized and empowered to use the common jail of said county for the safe-keeping of said prisoners, or to build and keep a convict camp or camps for said purpose, and is also authorized and empowered to feed, clothe, maintain, and guard said prisoners while they are employed or hired out as aforesaid.
Employment of prisoners.	
Power to hire out.	
Expense of maintenance and guarding.	
Safe-keeping.	
Free labor.	SEC. 11. In addition to the convict force, said highway commission shall have power and authority to employ such free labor as may be necessary for the proper construction, maintenance, and repair of the public roads and bridges in accordance with the provisions of this act. The commission shall also have full power and authority to engage, purchase, or hire such teams, tools, ma-
Teams, tools, machinery, etc.	

chinery, and equipment as may be necessary for use upon the public roads and bridges, and pay therefor reasonable compensation.

SEC. 12. The highway commission shall also have power and authority to enter into contract with any person, firm or corporation for the construction, improvement, maintenance or repair of any public roads or bridges of the county, and, in all cases where in the judgment of the commission it is necessary or desirable, to require the contractor to give bond conditioned for the faithful performance of his contract.

Contracts for construction and maintenance.

Bond.

SEC. 13. In opening new highways, widening and straightening out old roads or repairing the same, the highway commission is hereby authorized through its agents to enter upon any land and build such highways. If the commission and the owner or owners of said land cannot agree as to the amount of damages, if any, the commission shall, either before or after the completion of the work, select one disinterested freeholder, who shall be a resident of the township in which the land is situated, and the said landowner shall have the power and authority to select one disinterested freeholder in said township and the two so selected shall have the power and authority to choose a third freeholder in said township, and the three persons so chosen shall go upon the land and assess the damages and benefits. The judgment of two of those so chosen shall be the amount of damages the said commission shall pay said landowner: *Provided*, in case either party to said proceeding is not satisfied with the award of damages, they may appeal to the Superior Court of Northampton County, as in all other cases of appeal from inferior courts: *Provided, also*, that no suit shall be instituted by the landowner for damages on account of location of the road under this act or the taking of timber or material until after sixty days after the completion of the road across the lands of such landowner, and no suit shall be brought by any landowner unless the same is commenced within six months after the completion of the road across the lands of the claimant.

Entry on land for construction.

Arbitration of damages.

Proviso: right of appeal.

Proviso: time of bringing actions.

SEC. 14. The highway commission is hereby authorized, through its agents, to enter upon any land in said county, to cut and carry away any timber (except trees or groves on improved land planted or left for shade or ornament), dig, or cause to be dug, and carry away any gravel, sand, clay, dirt or stone, which may be necessary for the proper repair or construction of roads in said county, and make or cause to be made such drains or ditches upon any land adjoining or lying near any road in said county that the commission may deem necessary for the better condition of the road; and the drains and ditches so made shall not be obstructed by the occupants of such lands or any other person; and any person obstructing such drains or ditches shall be guilty of a misdemeanor. Due compensation shall be made

Entry on land for material.

Drains or ditches.

Obstructing drains or ditches misdemeanor.

Compensation.

for any damage sustained by the landowner under this section, to be ascertained under the same rules and regulations as are provided in section thirteen.

Notice to landowner before entry.

SEC. 15. Before entering upon any land as authorized by sections thirteen and fourteen of this act, it shall be the duty of the highway commission, through its representative, to serve notice upon the owner or owners of said land, notifying them that the highway is to be located upon the land or that certain material is to be taken, as the case may be.

Purchase of material and equipment.

SEC. 16. The highway commission shall have power to acquire by purchase or condemnation gravel pits, rock quarries, and all materials, machinery, implements, and property necessary or useful for the construction, improvement or repair of the public roads or bridges under the charge of the commission.

Highway commission to certify tax rate.

SEC. 17. The highway commission shall in each year, prior to the date on which the board of county commissioners of Northampton County levies taxes for general county purposes (beginning in the year one thousand nine hundred and nineteen), present to the board of county commissioners a statement of the rate of the special tax which the commission desires to have levied by the board of county commissioners for such year for the special purpose of constructing, improving, maintaining, and repairing public roads and bridges under the provisions of this act; and it shall be the duty of the board of county commissioners to levy said special tax at said rate for said purpose upon all taxable property in the county: *Provided, however,* that the board of county commissioners shall not be required to levy a tax for said purpose at a rate greater than seventy cents on the one hundred dollars valuation of said taxable property. In the event that the highway commission shall fail or neglect to present such a statement in any year to the board of county commissioners, then the board of county commissioners shall levy such special tax at a rate not less than thirty cents on the one hundred dollars assessed valuation of said taxable property.

County commissioners to levy tax.

Proviso: limit of tax rate.

Rate if not certified by commission.

County to assume debt of townships.

SEC. 18. Northampton County shall assume the payment of the principal and interest of all bonds or notes now outstanding issued by any township in Northampton County for the purpose of construction, improving, or repairing roads or bridges in said township; and it shall be the duty of the board of county commissioners of Northampton County to levy annually a special tax upon all taxable property in said county, for the special purpose of paying such principal and interest, or for providing a sinking fund for such bonds or notes, which tax shall be levied at a rate sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by the board of county commissioners. The power and duty to levy such special tax is hereby conferred and imposed upon the board of county commissioners for the reason that the charge and control of the roads and

Special tax.

Tax rate.

Reason for tax.

bridges for which the bonds and notes aforesaid were issued are transferred by this act from the township authorities to the county authorities, and for the further reason that it would be inequitable to require the several townships, by or on whose behalf said bonds and notes were issued, to bear the whole burden of taxation for the purpose of paying said bonds and notes as well as the burden of the taxes required by section seventeen of this act, and the taxes to be levied to pay county bonds to be issued for road and bridge purposes under this special act passed at the present session of the General Assembly, the proceeds of which county bonds will be expended largely in townships other than the township aforesaid.

SEC. 19. All moneys on hand when this act takes effect, or thereafter received, which were or shall be raised by Northampton County, or by or on behalf of any township therein, for road or bridge purposes (other than moneys raised to pay the principal and interest of outstanding township bonds or notes), whether raised by taxation, bonds issued, or otherwise, including any moneys received by reason of the hiring out of the convict forces by the highway commission to any person, firm, or corporation, shall, upon the taking effect of this act, or when they are collected, be deposited with the county treasurer and kept by him in a separate fund or funds and paid out only upon written orders of the highway commission, signed by the chairman and secretary of the commission. All road machinery, stock, and implements, and other road property owned or used by Northampton County, or by any township therein, shall, upon the taking effect of this act, be turned over to the highway commission.

Funds to use of
highway commis-
sion.

Transfer of
equipment.

SEC. 20. All moneys on hand when this act takes effect, or thereafter received, raised, or to be raised by means of a tax levied on property or polls in any one township, for the purpose of paying the principal or interest of bonds or notes issued by such township for road or bridge purposes, shall, when this act takes effect, be deposited with the county treasurer of Northampton County and placed by him in separate funds to be used solely for the purpose of paying the principal and interest of said bonds and notes.

Use of township
funds.

SEC. 21. No commission shall be allowed to the county treasurer's office or to the board of county commissioners on account of the receipt or disbursement of the proceeds of the sale of any bonds, or on account of any moneys raised by special tax for road or bridge purposes, or for the payment of the principal or interest of any bonds or notes issued for such purposes.

No commissions
allowed.

SEC. 22. All special or local laws relating to the construction, improvement or maintenance of public roads or bridges of Northampton County or of any township therein, including special or local laws authorizing the raising of money for said purposes,

Repealing clause.

Effect of repeal.

are hereby repealed. Nothing in this act, however, shall be held to invalidate any indebtedness incurred under any law hereby repealed, or to invalidate any act done under such a law, or to prevent the collection of any taxes levied under such law.

When act effective.

SEC. 23. This act shall be in force and shall take effect when, at an election to be held in Northampton County under the provisions of a special act passed by the General Assembly of North Carolina, at its session of one thousand nine hundred and nineteen, entitled "An act to authorize Northampton County to issue road and bridge bonds and to provide for the payment thereof," authorizing the issuance of not exceeding five hundred thousand dollars of bonds of said county, a majority of the voters voting at said election shall have voted in favor of the issuance of said bonds.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 194

AN ACT TO PROVIDE A NEW HIGHWAY COMMISSION FOR WAYNE COUNTY AND TO PROVIDE FUNDS FOR ROAD BUILDING.

The General Assembly of North Carolina do enact:

Wayne Highway
Commission
established.
Incorporation.

SECTION 1. That there shall be established in and for the county of Wayne a highway commission to be known as Wayne Highway Commission, to be composed of five commissioners; and said Wayne Highway Commission shall be a body corporate with a common seal, shall have the power to sue and be sued, and shall have all power and authority granted to corporations of like nature by the laws of North Carolina.

Election of
commissioners.

SEC. 2. That at each election of said commissioners one commissioner shall be chosen from among the citizens and taxpayers of the following districts of Wayne County:

Election districts.

First District—Goldsboro and Pikeville townships.

Second District—Brogden and Indian Springs townships.

Third District—Grantham and Fork townships.

Fourth District—Great Swamp, Nahunta and Buck Swamp townships.

Fifth District—Saulston, Stony Creek, and New Hope townships.

Chairman.

The commissioner chosen from the First District shall at all times be chairman of the highway commission.

Existing commis-
sion appointed.

SEC. 3. That the existing Wayne Highway Commission, duly elected pursuant to section two, chapter five hundred and nine of the Public-Local Laws of one thousand nine hundred and

twenty-one, and composed of the following commissioners: Charles Dewey, First District, chairman; L. A. Byrd, Second District; J. M. Mitchell, Third District; T. W. Corbin, Fourth District, and Robert J. Lewis, Fifth District, is hereby appointed as the Wayne Highway Commission. The commissioners from the First, Third, and Fifth Districts shall hold office until April one, one thousand nine hundred and twenty-four, and until their successors are duly elected and qualified; and the commissioners from the Second and Fourth Districts shall hold office until April one, one thousand nine hundred and twenty-three, and until their successors are duly elected and qualified. Thereafter the terms of the commissioners from each of the districts shall be two years.

Terms of office.

Terms of successors.

SEC. 4. That for the purpose of electing commissioners to fill such vacancies as occur in the highway commission, by expiration of term, death, resignation, or other cause, the following citizens of Wayne County are hereby appointed as electors from the date of ratification of this act until the first day of April, one thousand nine hundred and twenty-five, and until their successors are elected and qualified:

Electors for filling vacancies.

Goldsboro Township—R. H. Edwards, George S. Dewey, Joe A. Parker.

Brogden Township—Fred R. Mintz, B. J. Bowden.

Grantham Township—R. Q. Brown, Walter Blackman.

Fork Township—C. A. Coor, George Becton.

Buck Swamp Township—Milford Aycock, Grover Dees.

Great Swamp Township—Millard Aycock, W. A. Copeland.

Nahunta Township—Sam Martin, John Hare.

Pikeville Township—N. B. Berger, T. F. Hicks.

Saulston Township—J. B. Roberts, A. W. Parks.

Indian Springs Township—C. J. Herring, Jr., C. W. Ivey.

Stony Creek Township—J. W. Hall, O. J. Howell.

New Hope Township—D. W. Vinson, Ed Long.

Whenever there shall be a vacancy in said electorate, it shall be the duty of the board of county commissioners to appoint a successor from the same township for the unexpired term. Whenever the term of the electors shall expire, it shall be the duty of the board of county commissioners to appoint their successors from the same townships, the said successors to hold office for a period of four years.

Vacancies.

Appointment of successors.

Term of office.

SEC. 5. That whenever the terms of any members of the Wayne Highway Commission are about to expire or whenever there shall be a vacancy in said highway commission on account of death, resignation, or any other cause, it shall be the duty of the secretary of the highway commission, at least fifteen days, and not more than thirty days, before said terms shall expire, or not more than fifteen days after said vacancy shall occur, to issue a call for a meeting of said electorate in the courthouse of Wayne

Meetings of electors.

Election.	County, giving to each elector by mail, to his last known address, ten days notice of said meeting. The said electorate shall meet at the time named in said notice and, after properly organizing themselves, shall elect by ballot the necessary commissioners and, through such officers as they elect, shall certify the result to the secretary of the Wayne Highway Commission. A majority of said electors shall constitute a quorum; and, if a majority be not present, then those present may adjourn the meeting until another date not more than ten days after the date of meeting.
Certificate of election.	
Quorum.	
Adjournment for lack of quorum.	
Eligibility of elector as commissioner.	Any elector is eligible as a member of the highway commission; but upon his taking office as a member of said commission his office as elector shall become vacant.
First meeting of commissioners.	SEC. 6. That the first meeting of the Wayne Highway Commission shall be on the last Tuesday before the first Monday in
Monthly meetings.	January, one thousand nine hundred and twenty-two. Thereafter the said commissioners shall hold regular monthly meetings on
Place of meetings.	such day of each month as they shall designate. All regular
Special meetings.	meetings shall be held in the courthouse of Wayne County. Special meetings of the commission may be called by the chairman or a majority of the commissioners for such times and places as
Notice of special meetings.	he or they shall deem advisable. The secretary at his, or their request, to give at least two days notice of said special meeting
Quorum.	in person, by phone, or by mail. Three members shall constitute a quorum at all meetings of the commission.
Pay of commissioners.	SEC. 7. That for attendance at regular or special meetings, the members of the highway commission shall receive four dollars per diem, and mileage as provided in case of jurors. A
Pay for special work.	member of the commission shall also receive actual expenses and the same per diem, while engaged in any work which the highway commission has authorized and required him to do for the commission.
Powers of commission.	SEC. 8. That all public roads in Wayne County and all bridges along or across the public roads of Wayne County, shall be under the exclusive supervision and control of the Wayne Highway Commission; and the said commission shall have entire charge of establishing, locating, altering, maintaining, constructing, repairing, or discontinuing the public roads or bridges of Wayne
Contracts.	County. The said commission shall have power to make such contracts upon the best terms possible as are necessary for the exercise of said powers.
Township supervisors.	SEC. 9. That the highway commission shall appoint in each township in Wayne County a township road supervisor, who shall hold his office at the will of the commission. It shall be the duty of each supervisor to investigate from time to time the condition of the roads and bridges in his township, to receive complaints and to report frequently to the commission. The commission
Duties of supervisors.	may make such other contracts with the supervisors as it deems advisable, and may delegate such authority as it may deem
Other duties may be assigned.	

proper as to emergency repairs and other matters concerning the roads and bridges of his township.

SEC. 10. That the highway commission is authorized to create and fill such positions as it deems necessary for the proper performances of its duties, such as engineers and superintendents, to fix the compensation and prescribe the powers and duties of said appointees, and to authorize any of said appointees to employ such subordinates, employees or laborers as may be needed. The commission may require such bonds as it thinks necessary to be given by such employees or appointees. The commission may employ an attorney and fix his compensation. The commission may, for any cause it deems sufficient, discharge any employee or appointee at any time.

Engineers and superintendents.

Other employees.

Bonds of employees.

Employment of attorney.

Employees subject to discharge.

SEC. 11. That the highway commission shall immediately upon ratification of this act elect a secretary, who shall hold office at the pleasure of the commission. The compensation of the secretary shall be determined by the commission. The secretary shall keep, or cause to be kept, a complete record of all acts and meetings of the highway commission, and shall keep or cause to be kept the books and records of the county convict system, and shall perform or cause to be performed all clerical duties incident to the work of the highway commission. He shall keep a record of all money received and expended by the highway commission, and shall annually within ten days next before the first Monday in January of each year make out, certify, and cause to be published in a newspaper printed in the county a statement of the preceding year showing the amount of taxes collected and turned over to the highway commission for road and bridge purposes; the amounts borrowed by the commission under the provision of this act; the amounts received from the sale of road bonds; the amounts received from the sale of bridge bonds; the amounts paid out for the construction of permanent bridges; the amounts paid out for the laying out or construction of permanent roads; the amounts expended for the laying out or construction of other roads and bridges; the amounts expended for maintenance of roads and bridges; the amounts expended for road machinery, livestock, and other equipment; and the amount of such equipment on hand; and such other facts as the highway commission may deem necessary. The secretary shall make similar reports to the board of county commissioners on the first Mondays of January, April, July, and October of each year. The secretary shall purchase at the best price obtainable such provisions and supplies as are necessary for the convict force, teams, or for other use by the highway commission; but all such purchases shall be approved by the chairman of the commission or the engineer in charge.

Secretary of commission.

Compensation.
Record of proceedings.

Record of receipts and disbursements.

Publication of annual statement.

Quarterly reports.

Purchase of supplies.

Approval of purchases.

SEC. 12. That the existing road authorities in Wayne County shall deliver to, and the highway commission shall receive, all

Delivery of existing equipment.

Further purchases.	machinery, supplies, equipment, and all other property belonging to said authorities, or used by them in connection with the convict force or road work of the county. The highway commission is hereby empowered to purchase such other machinery, supplies, equipment, and other property as is necessary for the construction and maintenance of the roads of the county and for the safe-keeping and support of the convict force. The title to all lands now owned by the road authorities of Wayne County shall from the date of this act vest in the highway commission. The highway commission shall have authority to purchase land for a stockade, or in order to obtain gravel therefrom, or for any other purpose necessary for the road work of Wayne County.
Title to lands vested.	
Power to purchase land.	
Special tax.	SEC. 13. That for the purpose of providing revenue for the construction and maintenance of the public roads of Wayne County, the board of county commissioners of Wayne County are authorized, directed, and required to levy such special tax, not exceeding twenty-five cents on the one hundred dollars valuation of property, as the Wayne Highway Commission shall request, said request to be made in writing on or before the first day of August in each year. The said taxes shall be levied and collected as in the case of all other taxes in Wayne County; and the highway commission shall be required to pay into the general fund of the county for the collection of said taxes the commissions provided by the general law for said collection. All taxes which shall be levied and collected in the future for road purposes, pursuant to the above provisions, shall be paid to the highway commission, to be used by them for the construction and maintenance of the public roads of Wayne County. As the taxes of the county are collected it shall be the duty of the sheriff to keep an accurate account of the part of the taxes which should be paid to the road fund of the county, and on the first day of each month the sheriff shall deposit to the credit of the highway commission all said road taxes collected during the preceding month. No part of said tax shall be applied to pay interest or principal on any road or bridge bonds of Wayne County, but the county commissioners shall levy a sufficient annual tax to pay said interest and provide a sinking fund for the payment of the principal of said bonds, which special tax as collected shall be turned over to the sinking fund commissioner of the county.
Tax rate.	
Levy and collection of tax.	
Commissions paid from road funds.	
Settlement and use of road taxes.	
Monthly settlements.	
Tax for road and bridge bonds.	
Loan in anticipation of taxes.	SEC. 14. That the highway commission is hereby authorized, when it shall deem it necessary, to borrow in any year a sum not exceeding twenty-five thousand dollars for necessary road purposes, said sum to be borrowed in anticipation of the collection of taxes for the current year, and to be repaid from said taxes.
Limit of amount.	
Issue of additional bridge bonds.	SEC. 15. That the board of county commissioners of Wayne County in the written request of the Wayne Highway Commis-

sion, shall issue from time to time bonds of Wayne County to be known as "Wayne County Bridge Bonds," not to exceed in the aggregate the principal sum of fifty thousand dollars, in addition to such bridge bonds as have already been issued by said county. Said bonds shall be signed by the chairman of the board of county commissioners and by the clerk to said board, and shall be in such denominations, shall bear such interest (not exceeding six per cent), payable at such intervals, shall be payable serially or otherwise, and shall be payable or redeemable at such times (not exceeding forty years from their date), and such places as the board of county commissioners shall designate. The said bonds shall be direct obligations of Wayne County, and the board of county commissioners shall annually levy and collect a tax on all taxable property in said county sufficient to pay the interest on said bonds and provide a sinking fund for their payment at maturity. The proceeds from said bonds and from such other bridge bonds as have heretofore been issued by Wayne County, shall be applied by the Wayne Highway Commission for the construction of permanent bridges: and the decision of said commission as to what bridges are permanent shall be final as to such proceeds from said bonds as have been expended as well as those as are to be expended.

SEC. 16. That the Wayne Highway Commission shall have power to take advantage of any Federal or State aid available towards construction of either county roads or State roads within the county; and to this end the Wayne Highway Commission is authorized to contract with the State Highway Commission relative to the construction of any part of the State highway in Wayne County. If it be necessary to furnish funds to the State Highway Commission under such contract, the board of county commissioners of Wayne County are authorized to borrow on notes or bonds for a period of not more than five years such sums, not exceeding one million dollars, as the Wayne Highway Commission shall certify to the board of county commissioners to be necessary to advance to the State Highway Commission under said contract or contracts.

SEC. 17. That the county commissioners of Wayne County are directed and required to turn over to the Wayne Highway Commission the proceeds from the sale of any bonds that may hereafter be issued by said county for road purposes. The highway commission shall deposit all its funds derived from taxation or from the sale of bonds with such bank or persons as shall be selected by the board of county commissioners as county treasurer. Such treasurer shall act without compensation and may be required by the county commissioners to give a bond in such sum as they deem proper. The highway commission shall keep a separate account for the proceeds of each bond issue until the same are expended, and may keep such other separate accounts

Amount.

Authentication.

Interest.

Maturity.

Obligation of
bonds.
Special tax.Application of
proceeds.Federal and
State aid.Contracts with
State Highway
Commission.Loan for funds to
State Highway
Commission.

Maturity of loan.

Proceeds of bonds
paid to highway
commission.

Deposit of funds.

Compensation and
bonds.

Separate accounts.

Warrants on funds	as it deems advisable. All funds shall be paid out by the said depositories upon proper warrants signed by the chairman of the highway commission and countersigned by the secretary thereof.
Charge and control of convict force.	SEC. 18. The highway commission shall have full and complete charge and control of all male prisoners sentenced by any court of Wayne County and assigned to work upon the roads of said county, and shall employ such guards and foremen, prescribe such rules, and do all other things necessary for the safe-keeping and maintenance of said convicts and working them on the roads and bridges of the county. Judges of the Superior Court, the judge of the county court, justices of the peace, police justices, or other judges or justices of the county, may sentence such male persons as are convicted of crime in their respective courts to work upon the public roads of the county. All male prisoners so sentenced or imprisoned for nonpayment of cost or fines, and all prisoners sentenced in Wayne County to the State's prison for a term of not more than ten years, shall, at the request of the highway commission be assigned to work on the public roads of the county. All such convicts shall upon sentence be delivered to the sheriff of Wayne County; and he shall deliver them to such officer or employee of the highway commission, and at such times and places as said commission shall direct. After said delivery to the highway commission the said convicts are to be fed, clothed, and cared for at the expense of the highway commission. In case of serious physical disability, certified to by a licensed physician, or for other reasons satisfactory to the judge or justice, persons convicted may be sentenced to the penitentiary or county jail; and any convict which becomes disabled to work may be placed in jail by the highway commission; and the expense of keeping and maintaining said prisoner shall be borne by the county commissioners. Upon application of the highway commission to the judge of the Superior Court presiding in any county in the Fourth Judicial District or adjoining districts, which county does not provide for working convicts upon their own public roads, the said judge may sentence male prisoners to work upon the public roads of Wayne County. Such prisoners shall be delivered to the Wayne Highway Commission; and the costs of transporting, keeping and maintaining said prisoners shall be paid by the said highway commission. All such prisoners may at any time be returned to the sheriff of the county from which they came at the expense of the Wayne Highway Commission.
Power to sentence convicts to road work.	
Prisoners assigned to road work.	
Delivery of convicts.	
Care and maintenance of convicts.	
Convicts physically disabled.	
Convicts sentenced from other counties.	
Delivery of prisoners.	
Cost of transportation and maintenance.	
Return of prisoners.	
Power of entry on land.	SEC. 19. That the highway commission shall have the same authority to enter upon and take any lands either for the purpose of locating, widening, or changing any public road, or the purpose of securing material for the construction of any such road, or for any other road purpose: and the same authority to remove trees, take material, and do all other necessary acts, as

is given to county road commissions by sections three thousand six hundred and sixty-seven, three thousand six hundred and sixty-eight, three thousand six hundred and sixty-nine, and three thousand six hundred and seventy, of the Consolidated Statutes: and the damages of the landowners shall be assessed in the manner set forth in said sections.

SEC. 20. That the highway commission shall have authority to discontinue any public road or bridge in Wayne County, when it deems said road or bridge unnecessary. The highway commission shall also have authority when it deems it advisable to convert public roads into cartways. The highway commission shall also have the same authority to establish or discontinue cartways as the township road supervisors have under sections three thousand eight hundred and thirty-six and three thousand eight hundred and thirty-seven of the Consolidated Statutes, except that the appeal from the decision of the highway commission shall be directly to the Superior Court at term.

Discontinuance of roads.

Cartways.

SEC. 21. That the highway commission shall have authority to cause to be removed from the public roads of Wayne County all telephone or telegraph poles, trees or other obstructions, and shall have authority to cause telephone or telegraph poles or other movable obstructions to be moved across the boundary ditch of any public road, and to this end may enter upon and take land adjoining the public roads in the manner prescribed in section nineteen of this act.

Removal of obstructions.

SEC. 22. That the highway commission shall have the power to fully investigate all crossings of the public roads of Wayne County by railroad, street car, or power lines, or lines of similar character; and, if in the opinion of the highway commission any such crossing by reason of its construction or maintenance is dangerous or unreasonably inconvenient to travel on said public road, the highway commission shall give ten days notice to the owners of said railroad, street car, power, or other line to appear before the commission and show cause why the crossing should not be so removed or changed as to make travel on said road less dangerous and more convenient. The highway commission shall investigate said crossing and upon the day set out in said notice shall hear evidence as may be presented to it, and shall determine whether in their opinion the existence or condition of the crossing is dangerous or unnecessarily inconvenient. If the commission finds it to be so, they shall order it removed, or changed, within a reasonable time prescribed by the commission.

Crossings.

Notice to owners of crossings.

Investigation and hearing.

Orders by commission.

If the said crossing is not removed or changed within the time prescribed, the owners thereof shall be guilty of misdemeanor and shall be fined five dollars for each day's failure to comply with the order of the commission, and the commission shall have authority to remove or change the crossing at the expense of the

Failure to remove condemned crossing misdemeanor. Fine.

Removal at expense of owners.

Right of appeal. owners thereof. The owners may appeal to the Superior Court from the order of the commission within ten days after said decision.

Drains onto public roads or into public ditches. SEC. 23. That no person shall permit or cause water to drain from his land into the public roads or, without the consent of the highway commission, permit water to drain into the public

Duty of landowner. ditches; and the owners of land, the water from which now drains into public roads and ditches, shall, within two months after notice from the highway commission, or its engineer, prevent said water from further draining into said road and ditches;

Failure a misdemeanor. and the failure to prevent after notice, or the permitting or causing in the future, said water to drain into the public road shall be a misdemeanor. Any persons draining water across a public

Drains across roads. road of Wayne County shall be required, upon notice from the highway commission or its engineer, to construct or maintain the bridge or drain across said highway through which said water

Drains and bridges across private roads. drains; and any owner who enters his land by private road or path from the public roads of Wayne County shall be required to construct and maintain such drains or bridges across said private

Failure a misdemeanor. road or path as the highway commission may designate; and the failure to construct or maintain any of said bridges or drains

Construction at expense of landowner. along or across the public roads shall be a misdemeanor; and the highway commission shall have authority to construct or maintain said bridges at the expense of the landowners.

Traffic rules. SEC. 24. That the highway commission shall have full power and authority to prescribe reasonable rules and regulations for the use of the public roads of Wayne County, including rules fixing the width and character of tires, the width of track, the wheel base, the weight and the width and the length of vehicles using said road, and such other rules for the protection of the

Publication of rules. public roads of the county as they shall deem advisable. Said rules shall be published once a week for two weeks in some newspaper published in Wayne County; and after said publication it

Violation a misdemeanor. shall be a misdemeanor to violate any of said rules. It shall also be a misdemeanor to interfere or obstruct in any way the highway commission, or any of its agents or employees, in the discharge of the duties set forth in this act, or to fail to comply with any order of said commission lawfully issued under this or any other section of this act.

Other acts and omissions declared misdemeanor.

Liability for accidents. SEC. 25. That the liability of the Wayne Highway Commission for accidents on the roads of Wayne County arising from the condition of the roads or bridges, or other damage from any cause, shall be the same as that prescribed for the State Highway Commission as to damages on State highways in section fifty of chapter two of the Public Laws of one thousand nine hundred and twenty-one.

Laws specifically repealed. SEC. 26. That sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11 of chapter five hundred and nine of the Public-Local Laws of one

thousand nine hundred and twenty-one and sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 36, and 38 of chapter three hundred and sixty-four of the Public-Local Laws of one thousand nine hundred and nineteen, are hereby repealed; and that all other sections of said chapter five hundred and nine of the Public-Local Laws of one thousand nine hundred and twenty-one, and chapter three hundred and sixty-four of the Public-Local Laws of one thousand nine hundred and nineteen, in conflict with the act, and all other laws or clauses of laws in conflict with this act are hereby repealed.

General repealing clause.

SEC. 27. That this act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 195

AN ACT TO AMEND CHAPTER 356, PUBLIC-LOCAL LAWS 1921, AND TO PROVIDE AN ALTERNATIVE FOR THE RAILROAD EXTENSION THEREIN PROVIDED FOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the act entitled "An act to create a special tax district in Wake County, and to authorize eight hundred thousand dollars (\$800,000) in bonds for railroad extension," being Public-Local Laws of one thousand nine hundred and twenty-one, chapter three hundred and fifty-six, be and the same is hereby amended by inserting therein and adding thereto at the end of section six (6) thereof, the following:

Act amended.

"SEC. 6½. Or in lieu of and as an alternative of the plan and procedure as to exchange of bonds as set out in the preceding section six (6), if, in the election herein provided for, the majority of the qualified voters in said district shall vote 'For Railroad Construction Bonds,' the said district commission may, for the purposes of the railroad extension herein contemplated, issue its vouchers and call upon the county commissioners of Wake County to issue and deliver to it, not exceeding eight hundred thousand dollars, at par, of bonds, as in said act described, in the name of the special bond and tax district created in said act, and exchange the same for first mortgage six per cent bonds secured by mortgage on the entire line of railroad from Spring Hope to Raleigh, bond for bond, that is, the railroad of the Montgomery Lumber Company, together with the railroad extension provided for in said act, it being understood and agreed in said exchange that the Montgomery Lumber Company, a corporation, shall take and have of such first mortgage bonds in same series and priority,

Alternative plan.

Demand on county commissioners for bond issue.

Exchange authorized.

Allowance to Montgomery Lumber Company.

Explanation.	<p>a sum, at par, to be ascertained and agreed upon by said district commission and Montgomery Lumber Company prior to the election herein provided for. That is to say, the exchange herein provided for is with the view to providing a plan whereby the special bond and tax district created in said chapter three hundred and fifty-six, Public-Local Laws of one thousand nine hundred and twenty-one, may have issued and delivered bonds of said district not exceeding the sum of eight hundred thousand dollars (\$800,000), at par, and to exchange the same with the corporation proposing to construct the said railroad extension, to be duly approved as provided for in said chapter for first mortgage bonds on the entire line of railroad from Spring Hope to Raleigh, providing that first mortgage bonds of same security, series, and priority, shall be issued and delivered to Montgomery Lumber Company in a sum to be ascertained and appraised and duly agreed upon prior to the election for its interest in said line, being the railroad now existing from Spring Hope to a point in Wake County near Barham's Store near the Wake Forest and Little River Township lines.</p>
Repealing clause.	<p>SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.</p> <p>SEC. 3. That this act shall be in force from and after its ratification.</p> <p>Ratified this the 19th day of December, A.D. 1921.</p>

CHAPTER 196

AN ACT TO AMEND CHAPTER 581, PUBLIC-LOCAL LAWS 1915, RESPECTING THE POWER OF THE BOARD OF EDUCATION OF ROBESON COUNTY TO BORROW MONEY.

The General Assembly of North Carolina do enact:

Limit of loans.	<p>SECTION 1. That chapter five hundred and eighty-one of the Public-Local Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out the words "ten thousand" in line twelve of section two thereof, and inserting in lieu thereof the words "twenty-five thousand."</p>
Loans in anticipation of tax collections.	<p>SEC. 2. That the board of education of Robeson County is hereby authorized and empowered to borrow such sums as may be actually necessary to pay the teachers and provide for the appropriations that have been legally made, pending the collection of the taxes in any year, and the notes of the said board given for any such loans shall constitute a first and paramount lien on the tax moneys due the school fund, when collected and paid into the county treasury by the sheriff, the amount to be borrowed in any one year not to exceed the sum of twenty-five thousand dollars.</p>
Limit of amount.	

SEC. 3. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed. Repealing clause.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 197

AN ACT TO AMEND CHAPTER 149 OF THE PUBLIC-LOCAL LAWS OF THE EXTRA SESSION OF 1920, BEING AN ACT RELATING TO EXPENSES OF COUNTY OFFICERS OF WAYNE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and forty-nine of the Public-Local Laws of the extra session of one thousand nine hundred and twenty, be amended by adding at the end of section one thereof the following: *Provided*, that the board of county commissioners, in their discretion, shall allow to the sheriff of Wayne County automobile expenses, as to the board may seem necessary and proper, not to exceed five hundred dollars a year. Proviso: allowance to sheriff.

SEC. 2. That all laws and clauses of law in conflict with this act are hereby repealed and this act shall be in full force and effect from and after the first day of January, one thousand nine hundred and twenty-two. Limit of amount.

Ratified this the 19th day of December, A.D. 1921. Repealing clause.

CHAPTER 198

AN ACT TO ABOLISH SELF-PERPETUATING SCHOOL BOARDS OR COMMITTEES IN CERTAIN SCHOOL DISTRICTS IN ALAMANCE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all laws, public or private, relative to self-perpetuating school boards or committees, or trustees in Alamance County, except in the school districts in which are the towns of Mebane, Graham, Burlington, and Elon College, are hereby repealed, and all such self-perpetuating boards are hereby declared to be abolished. Laws repealed.

SEC. 2. That in lieu of self-perpetuating boards abolished by section one of this act, the county board of education of Alamance Exceptions.

14—Public-Local

County shall appoint a committee, consisting of not less than three and not more than five members, in the same manner as the other school committeemen are appointed.

Ratification clause. SEC. 3. That this act shall be in force and effect from and after its ratification.

Repealing clause. SEC. 4. That all laws or clauses of laws in conflict with this act shall be and the same are hereby repealed.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 199

AN ACT TO PROTECT GAME AND REGULATE HUNTING IN BLADEN COUNTY.

The General Assembly of North Carolina do enact:

Close season for squirrels and wild turkey. SECTION 1. That it shall be unlawful for any person to hunt, kill or destroy in any manner any squirrel or wild turkey in Bladen County, from the fifteenth day of January to the fifteenth day of November, both dates inclusive, of any year.

Close season for quail. SEC. 2. That it shall be unlawful for any person to hunt, kill or destroy in any manner any quail in Bladen County, from the first day of February to the fifteenth day of November, both dates inclusive, of any year.

Close season for deer. SEC. 3. That it shall be unlawful for any person to hunt, kill or destroy in any manner any male deer in Bladen County, from the first day of December to the fifteenth day of November, both dates inclusive, of any year.

Female deer protected. SEC. 4. That it shall be unlawful at any time to kill female deer in Bladen County.

Limit of bag. SEC. 5. It shall be unlawful for any person to kill in any one day in Bladen County more than six squirrel, fifteen quail or partridges, or one wild turkey during the open season herein provided for.

Employment of game wardens. SEC. 6. That the county commissioners of Bladen County are hereby authorized and empowered to employ a game warden for Bladen County, who shall be paid a monthly salary not to exceed the amount of fines and license taxes paid into the county or school fund as is hereinafter provided.

Salary. SEC. 7. That it shall be the duty of the game warden to select as many assistant game wardens as he may deem necessary and to fix their compensation to be approved by the board of county commissioners: *Provided*, that the compensation of the game warden and such assistants as he may employ shall not exceed the amount of fines and license taxes as is hereinafter provided.

Assistant game wardens. SEC. 7. That it shall be the duty of the game warden to select as many assistant game wardens as he may deem necessary and to fix their compensation to be approved by the board of county commissioners: *Provided*, that the compensation of the game warden and such assistants as he may employ shall not exceed the amount of fines and license taxes as is hereinafter provided.

Proviso: limit of compensation. SEC. 7. That it shall be the duty of the game warden to select as many assistant game wardens as he may deem necessary and to fix their compensation to be approved by the board of county commissioners: *Provided*, that the compensation of the game warden and such assistants as he may employ shall not exceed the amount of fines and license taxes as is hereinafter provided.

SEC. 8. That it shall be the duty of the game warden to prosecute all violations of the game laws of said county, and to collect and pay to the county commissioners all license taxes as is hereinafter provided.

Game warden to prosecute violators of law and collect license taxes.

SEC. 9. That all nonresidents of Bladen County shall pay an annual license tax of ten dollars before being allowed to hunt in said county: *Provided*, that all nonresident owners of real estate in the aforesaid county shall not be required to pay the license tax herein provided for the privilege of hunting on their own land.

License tax.

Proviso: land-owners.

SEC. 10. That it shall be unlawful for any person to shoot, kill, hunt, or trap any game mentioned in sections one, two, three, or four of this act during the closed season, as therein designated. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall, for each offense, be fined not more than fifty dollars, nor less than twenty dollars, or be imprisoned not more than thirty days nor less than ten days.

Hunting in close season.

Violation of act misdemeanor.

SEC. 11. That sections three and four of this act shall not apply to Carver's Creek Township, Bladen County, and the restrictions placed upon deer hunting therein shall be as now prescribed by law.

Carvers Creek Township.

SEC. 12. That all laws and parts of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 13. That this act shall be in force from and after the first day of September, one thousand nine hundred and twenty-two.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 200

AN ACT TO AMEND CHAPTER 467 OF THE PUBLIC-LOCAL LAWS OF 1921, AUTHORIZING THE CONSTRUCTION, EQUIPMENT AND MAINTENANCE OF A FIRE-PROOF HOSPITAL BY THE BOARD OF COUNTY COMMISSIONERS OF HAYWOOD COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section three (3) of chapter four hundred and sixty-seven (467) of the Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby stricken out and the following inserted in lieu thereof: "That the said board of county commissioners shall, on the first Monday in April of each year, appoint six (6) trustees, to be known and designated as the board of trustees for said county hospital. That the term of office for two of said trustees shall expire at the end of

Appointment of trustees.

Official designation.
Terms of office.

Trustees named.	one year; term for two of said trustees shall expire at the end of two years; term for two of said trustees shall expire at the end of three years, and which said trustees shall hold their office until their successors shall have been duly named and appointed. That J. R. McCracken, F. M. Davis, T. F. Reynolds, S. L. Stringfield, J. F. Abel, and T. A. Hargrove are hereby named and appointed trustees of said county hospital. The term of office of the first two herein named shall expire on April first, one thousand nine hundred and twenty-three, the term of office of the second two herein named shall expire on April first, one thousand nine hundred and twenty-four, the term of office of third two herein named shall expire on April first, one thousand nine hundred and twenty-five. That the county commissioners shall fill said vacancies as hereinabove provided by the appointment of trustees for said office from the members of the Haywood County Medical Society, as the term of office of the trustees herein appointed expire."
Vacancies.	
Trustees and county commissioners to erect hospital.	SEC. 2. That section twelve (12) of chapter four hundred and sixty-seven (467) of the Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby stricken out and the following inserted in lieu thereof: "That the board of trustees and county commissioners of Haywood County are authorized and empowered to erect, equip, and maintain a modern fire-proof hospital on the present site of, or in the rear of, Haywood County's hospital in the town of Waynesville, the erection of said building to commence whenever in their judgment it will not be too great a burden to the taxpayers of Haywood County.
Location.	
Time for erection.	
Plans for construction and equipment.	If the said boards decide to build said fire-proof hospital building the same shall be constructed and equipped in accordance with such plans as shall be furnished by the board of trustees of said hospital. Said board of trustees appointed and named in section one of this act are hereby named and appointed as a building committee for said hospital, and shall have charge of the construction and equipment of said hospital and shall continue as the directing board for the management and control of said hospital."
Building committee.	
Expense of building and equipment.	SEC. 3. That the expense incidental to the construction and equipment of said modern fire-proof hospital building shall be borne by the board of county commissioners, and it shall be the duty of said board of commissioners to issue and sell a sufficient amount of serial bonds of said county to erect and equip said building, and it shall thereafter be the duty of said board of county commissioners to levy a sufficient tax on all property in Haywood County to meet the interest and retire said bonds. Said bonds to run for a period of not more than twenty years, and not less than ten years, in the discretion of the board of county commissioners. Any excess derived from the sale of said bonds shall be held in trust by said commissioners for the maintenance of said hospital.
Bonds to be issued.	
Special tax.	
Maturity of bonds.	
Excess held for maintenance.	

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 201

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF CARTERET COUNTY TO ISSUE BONDS TO FUND THE FLOATING INDEBTEDNESS AND FOR ROAD AND BRIDGE IMPROVEMENTS.

Whereas the county commissioners of Carteret County have incurred indebtedness, amounting to approximately two hundred thousand dollars, for the purpose of completing and repairing certain roads and bridges in said county; and, Preamble: debt incurred.

Whereas it is necessary to spend additional moneys to complete and repair certain necessary roads and bridges and to construct other necessary roads and bridges in the said county: Therefore, Preamble: additional expenditures necessary.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of Carteret County be and they are hereby authorized and empowered to issue and sell interest-bearing coupon bonds of the said county to an amount not exceeding three hundred thousand dollars (\$300,000), in such denominations as they may determine, bearing interest from date thereof not exceeding six per centum per annum, payable semi-annually, at such time or times and place as may be determined advisable by the board. Said bonds to be of such form and tenor, and the principal and interest payable at such time and place as the board may determine, not exceeding forty years from the date thereof. Bond issue authorized.

SEC. 2. The said bonds shall be numbered and shall be signed by the chairman of the said board of commissioners and attested by the clerk of said board, and shall have impressed upon them the seal of said county. The delivery of said bonds, signed as aforesaid, shall be a valid obligation of said county. Amount.
Interest.
Maturity.

SEC. 3. That the moneys derived from the sale of the said bonds shall be used for the paying off the floating indebtedness of the county as evidenced by short-term notes, vouchers, and otherwise; and for the building and repairing of the roads and bridges of said county, as set out in the preamble above. Authentication.
Obligation of bonds.
Appropriation of proceeds of bonds.

SEC. 4. That in order to pay the interest on said bonds and create a sinking fund to pay them off at maturity, the commissioners of said county shall annually, at the time of levying other taxes, levy a special tax on all the taxable property in said county Special tax.

for the special purpose of paying principal and interest on all the bonds issued under this act, as such principal and interest become due, which tax shall be sufficient for said purpose, and shall be in addition to other taxes authorized to be levied by said board.

Special tax for maintenance.

SEC. 5. That in addition to the tax levied to meet the principal and interest of said bonds, authorized by this act, the board of commissioners of Carteret County are hereby authorized to levy a special tax on all the taxable property in said county for the special purpose to provide a fund with which to maintain the public roads and bridges of said county, which tax shall be sufficient for said purpose.

Sale of bonds.

SEC. 6. That the said board of commissioners are hereby authorized to sell or dispose of said bonds either by public or private sale, or by sealed bids, as they may see fit, after having advertised the same as required in section four thousand three hundred and ninety-two of the Consolidated Statutes of North Carolina.

Advertisement of sale.

Obligation of purchaser divested.

SEC. 7. That the purchasers or holders of any part of said bonds shall not be required to see the application of the proceeds of the same.

Powers additional.

SEC. 8. The powers hereby conferred are additional to any other powers conferred by, and are not affected by any limitation imposed by any other act, including acts already or hereafter passed at this session of the General Assembly.

Repealing clause.

SEC. 9. That all laws and clauses of laws in conflict with this act are, to the extent of such conflict, hereby repealed.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 202

AN ACT TO VALIDATE THE ISSUE OF CERTAIN BONDS OF WILKES COUNTY.

The General Assembly of North Carolina do enact:

Bond issue validated and confirmed.

SECTION 1. The issue of the two hundred and seventy-five thousand dollars (\$275,000) bonds of Wilkes County for the purpose of building and rebuilding the public roads of the county, authorized by a resolution of the board of the county commissioners, adopted on the nineteenth day of November, one thousand nine hundred and twenty-one, is hereby validated and confirmed.

Authority for issue.

SEC. 2. The said two hundred and seventy-five thousand dollars (\$275,000) of bonds are issued under authority contained in the Consolidated Statutes of North Carolina and are in lieu of

the bonds authorized under chapter three hundred and thirty-three, Public-Local Laws of one thousand nine hundred and twenty-one, entitled "An act to authorize the commissioners of Wilkes County to issue bonds for road purposes."

SEC. 3. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 203

AN ACT TO AMEND CHAPTER 50 OF THE PUBLIC LAWS OF 1921, SO AS TO EXEMPT HOG ISLAND AND CEDAR ISLAND IN CARTERET COUNTY FROM THE OPERATION OF THE STOCK LAW.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter fifty of the Public Laws of one thousand nine hundred and twenty-one, be amended by adding at the end of section one the following words: *Provided* further, that this act shall not apply to Cedar Island and Hog Island in Carteret County." Proviso:
exceptions.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 204

AN ACT TO AMEND CHAPTER 50, PUBLIC LAWS 1921, RELATING TO ONSLOW COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the proviso set out in section one of chapter fifty, Public Laws of one thousand nine hundred and twenty-one, shall not apply to the islands situated in the waters of the sounds along the mainland between the Carteret County line at the edge of the Atlantic Ocean and the Pender County line at the edge of the Atlantic Ocean, and that all such islands situated in such waters adjacent to the mainland of Onslow County are hereby declared to be stock-law territory within the provisions of chapter fifty, Public Laws of one thousand nine hundred and twenty-one. Proviso: not
applicable.

Islands subject to
stock law.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 205

AN ACT TO AUTHORIZE THE COUNTY COMMISSIONERS OF ROBESON COUNTY TO FIX THE COMPENSATION OF THE DEPUTY CLERK OF THE SUPERIOR COURT.

The General Assembly of North Carolina do enact:

Compensation of deputy.

SECTION 1. That the county commissioners of Robeson County be and they are hereby authorized to fix and determine the compensation to be paid the deputy clerk of the Superior Court of Robeson County, and to provide such other clerical assistance and fix the compensation for the same as in their opinion may be necessary to properly discharge the duties of said office.

Other clerical assistance.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 206

AN ACT TO PROHIBIT THE HUNTING OF DEER WITH DOGS IN CASWELL COUNTY.

The General Assembly of North Carolina do enact:

Hunting forbidden.

SECTION 1. That it shall be unlawful for any person to hunt with dogs, any deer in Caswell County at any time.

Misdemeanor.

SEC. 2. That any person violating the provisions of this act shall be guilty of a misdemeanor.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 207

AN ACT TO PROVIDE FOR A BETTER SYSTEM OF ACCOUNTS AND BONDS OF THE TREASURER OF THE PUBLIC ROAD FUNDS OF THE VARIOUS TOWNSHIPS OF STOKES COUNTY.

The General Assembly of North Carolina do enact:

Treasurers of township highway commissions to give bonds.

SECTION 1. That the treasurer of the roads or highway commission of each township of Stokes County, or the custodian of the public road funds of each township of Stokes County, shall

execute a surety bond, conditioned upon the faithful performance of his duties, in such an amount and in such form as shall be prescribed by the roads or highway commission of the respective townships, and shall be approved, registered, and filed as other county bonds by the board of county commissioners of Stokes County. No sheriff or deputy sheriff or other tax collector or any other officer of Stokes County shall deliver any public funds to any such treasurer or custodian of such township road fund, unless and until the said prescribed and approved bonds shall have been executed and filed.

No funds delivered to treasurers until bonds filed.

SEC. 2. That no treasurer of any road or highway commission of any township of Stokes County and no custodian of any public road funds of said county shall pay out same except upon written order duly signed by the chairman and secretary of the highway or road commission of the respective townships. The said treasurer shall pay out such funds upon written orders as above stated, and such payments shall be made by check, and all orders and returned paid bank checks shall be filed and preserved as a part of the permanent records of his office.

Orders for payment of funds.

Payments by check.

Orders and checks to be filed.

SEC. 3. That the treasurer or custodian of the public road funds of the road or highway commission of each township of Stokes County shall keep an accurate record in a book provided by the road or highway commission of his respective township of all receipts and disbursements of all road funds coming into his hands. The said treasurer shall annually, on or before the fifteenth day of January of each year, file with the chairman of the board of county commissioners of Stokes County a complete and itemized statement of all receipts and disbursements of township funds for his respective township for the year ending December thirty-first, next preceding. That any such treasurer who shall fail to comply with any of the provisions of this act shall suffer such forfeiture as his bonds may provide, and shall be deemed to have been guilty of misconduct in office, and may be removed from office by the roads or highway commission of said township upon the recommendation of the board of county commissioners.

Record of receipts and disbursements.

Itemized annual statements.

Penalty for failure to comply.

Misconduct in office.

Removal.

SEC. 4. It shall be the duty of the board of county commissioners of Stokes County to see that the bonds, as provided in section one of this act, are properly provided, registered and filed, and that the provisions of this act regarding the disbursement of funds and the keeping of accounts and making reports are faithfully performed.

County commissioners to enforce law.

SEC. 5. That the treasurer of the highway or roads commission of each township of Stokes County shall receive in compensation for his services such a sum as the said highway or roads commission of his township and himself may agree upon: *Provided*, that his total compensation for his services as treasurer shall not exceed two and one-half per cent of the township road

Pay of treasurers.

Proviso: limit of amounts.

Proviso: payment
from road fund.

funds disbursed by him: *Provided further*, that such compensation shall be paid out of road funds of said township.

Conformity of
laws.

SEC. 6. That all laws and clauses of laws in any way in conflict with the provisions of this act are hereby changed and modified in such manner as to precisely conform to the provisions of this act.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 208

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF BLADEN COUNTY TO ISSUE BONDS FOR THE PURPOSE OF BUILDING A FREE OR TOLL BRIDGE ACROSS THE CAPE FEAR RIVER, WITH SUITABLE APPROACHES, AND TO BUILD A HIGHWAY TO THE SAMPSON COUNTY LINE.

The General Assembly of North Carolina do enact:

Purposes of bond
issues.

SECTION 1. That for the purpose of building a free, or toll bridge, to be determined from time to time, by the board of county commissioners, with suitable approaches, across the Cape Fear River at Elizabethtown, North Carolina, and for the purpose of constructing the public highways to the Sampson County line to connect with Clinton, North Carolina, which is hereby declared to be of great public importance and a public necessity, the board of commissioners of Bladen County are authorized and empowered to issue serial bonds of the county of Bladen, not to exceed three hundred thousand dollars (\$300,000), running a period of three to forty years, to be determined by the county commissioners, and drawing a rate of interest not exceeding six per cent (6%), payable annually or semiannually, as determined by the county commissioners.

Public necessity
declared.
Bond issue
authorized.
Amount.
Maturity.

Interest.

Commissioners to
issue and sell
bonds.
Dispatch of work.

SEC. 2. That the said board of commissioners of Bladen County shall proceed at once to issue and sell said bonds if they so determine, and with all reasonable dispatch proceed to build the bridge and approaches thereto and construct the public highways to the Sampson County line.

Authentication of
bonds.

SEC. 3. That the bonds issued under this act shall be numbered and signed by the chairman of the said board of county commissioners, and attested by the clerk of the said board with the corporate seal of the said county affixed, and their legality attested by the county attorney. They shall be in such denominations as the board of county commissioners shall prescribe and shall not be sold, hypothecated, or exchanged for less than their

Denominations.
Sale below par
forbidden.

par value. That said commissioners shall have the power to make the principal and interest of the said bonds, or either of them, payable at such place or places as they may prescribe.

Place of payment.

SEC. 4. That said bonds shall be advertised and sold, if the county commissioners of said county shall so determine, in accordance with the provisions of the Municipal Finance Act relating to the sale of bonds of cities and towns.

Advertisement and sale of bonds.

SEC. 5. In order to pay the interest and principal of said bonds, the board of commissioners of said county shall annually compute and levy, at the time of levying other public taxes, a special tax on the polls and the real and personal property valuation and other subjects of taxation in said county, always observing the constitutional equation between the levy on property and polls.

Special tax.

Constitutional equation.

SEC. 6. That the taxes shall be collected by the sheriff in the same manner as other taxes, and he shall receive a commission of not exceeding one per cent of the total amount collected by him.

Collection of taxes.

Commission of sheriff.

SEC. 7. All expenses incident to the preparation, issue, and sale of said bonds together with the expenses of engineers, shall be paid by the board of county commissioners out of the proceeds of the sale of the said bonds.

Expenses to be paid from bond issue.

SEC. 8. That the proceeds of the sale of said bonds shall be paid over to the board of county commissioners of said county to be disbursed by them upon proper vouchers, and the said funds shall be deposited in such bank or banks within the said county as may be designated, at such rate of interest as may be agreed upon: *Provided, however*, that said commissioners shall require the depository bank or banks to give a bond in a sufficient amount to account for the proceeds of the sale of the said bonds.

Proceeds turned over to commissioners.
Deposits.

Proviso: depository to give bonds.

SEC. 9. That said bonds shall be advertised and sold in accordance with the provisions of the Municipal Finance Act relating to the sale of bonds of cities and towns.

Advertisement and sale of bonds.

SEC. 10. That the said commissioners, if they so determine, shall immediately secure the services of a competent engineer or engineers to locate the most desirable location for the bridge within two miles of Elizabethtown, North Carolina, and the estimated cost of the bridge and approaches thereto; that said commissioners, by and with the advice of the engineer or engineers, shall select the location of the bridge and estimated cost thereof, together with the location of the public highways to the Sampson County line.

Location of bridge.

Estimate of cost.

Selection of location for bridge and roads.

SEC. 11. That it shall be the duty of the board of county commissioners to select and appoint a competent engineer or engineers to supervise the location, drawing of plans, advertising, and acceptance of bids for the erection of the aforesaid bridge and the approaches thereto, and for the construction of the aforesaid highway.

Bridge engineer.

Use of surplus.

SEC. 12. That in the event the money received from the sale of the said bonds is more than enough to build a bridge and approaches thereto, and to construct the highway and pay all the expenses connected therewith, the remainder thereof shall be used by the said commissioners to pay the interest and principal on the said bonds as they become due.

Use of funds if work taken over by State.

SEC. 13. That if the State Highway Commission shall decide to take over the bridge and approaches thereto, or build the road to the Sampson County line, as herein provided and reimburse the county, the said funds shall be used by the board of county commissioners to pay off said bonds at their maturity.

Repealing clause.

SEC. 14. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 209

AN ACT FOR THE RELIEF OF THE TAX COLLECTOR AND TREASURER OF HENDERSON COUNTY.

Preamble: delay in delivery of tax books.

Whereas the time prescribed by law for allowing discount for the payment of taxes in the months of October and November has elapsed without the tax lists being in the hands of the tax collector of Henderson County, owing to the fact that through questions arising from an audit of the books of said tax collector, the tax lists for the year one thousand nine hundred and twenty-one have not yet been handed over to him by the county commissioners of said Henderson County, and the privilege of payment within the time prescribed by law for those willing and able to so pay, and thus avail themselves of the discount allowed therefor, has elapsed through no fault on the part of said taxpayers: Therefore,

The General Assembly of North Carolina do enact:

Discount for payments in January.

SECTION 1. That the tax collector of Henderson County is hereby empowered, authorized, and directed to allow the same discount for payment of taxes for the year one thousand nine hundred and twenty-one, if same be paid in the month of January, one thousand nine hundred and twenty-two, as he is empowered by law to allow for the payment of taxes in the months of October and November.

Credits allowed by auditor.

SEC. 2. The State Auditor shall allow the proper credits in his settlement with the tax collector and treasurer of Henderson County as may be proper in order to carry out the purpose of the

foregoing section and to relieve said tax collector and treasurer on account of the extension of the time herein granted in which to pay said taxes.

SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

SEC. 4. That this law shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 210

AN ACT TO AMEND CHAPTER 551, PUBLIC-LOCAL LAWS, SESSION 1919, RELATING TO PAY OF JUSTICES OF THE PEACE.

The General Assembly of North Carolina do enact:

SECTION 1. That the words "thirty cents, if more than one defendant in same case, each additional defendant fifteen cents," in lines eight and nine of section one of chapter five hundred and fifty-one, Public-Local Laws of one thousand nine hundred and nineteen, be stricken out in said section, and the following words inserted in lieu thereof: "fifty cents, if more than one defendant in same case, each additional defendant twenty-five cents; making copies of summons to be served on corporations, twenty-five cents for each copy necessary to be made." Summons.

SEC. 2. That the word "fifty" in line eleven of section one of said chapter five hundred and fifty-one, Public-Local Laws of one thousand nine hundred and nineteen, be stricken out and the words "seventy-five" be inserted in lieu thereof. Trial where no issues joined.

SEC. 3. That the word "forty" in line seventeen of said section one, chapter five hundred and fifty-one, Public-Local Laws of one thousand nine hundred and nineteen, be stricken out and the words "seventy-five" be inserted in lieu thereof. Warrants in criminal cases and bastardy.

SEC. 4. That the word "forty" after the word "defendant" in line twenty of said section one of said chapter five hundred and fifty-one, Public-Local Laws of one thousand nine hundred and nineteen, be stricken out and the words "seventy-five" be inserted in lieu thereof. "Forty" does not appear in line 20 of section referred to.

SEC. 5. That for each continuance of case twenty-five cents. Continuance.

SEC. 6. That this amended act shall apply only to Union and Harnett counties. Application of act.

SEC. 7. That all laws and clauses of laws in conflict with this amended act are hereby repealed. Repealing clause.

SEC. 8. That this act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 211

AN ACT TO MAKE IT A FELONY TO HAVE IN POSSESSION, WITHIN DURHAM COUNTY, A DEADLY WEAPON, TO WIT, A PISTOL, SHOTGUN, OR RIFLE, WHILE ILLEGALLY ENGAGED IN THE TRANSPORTATION OR THE MANUFACTURE, WITHIN DURHAM COUNTY, OF INTOXICATING LIQUORS.

The General Assembly of North Carolina do enact:

Possession of
deadly weapon
illegal.

Localities
embraced.

Prima facie
evidence of
possession.

Presumption of
purpose.

Felony.

Punishment.

SECTION 1. It shall be unlawful for any person to have in his or her possession, or on or about his or her person, or under his or her control, concealed or unconcealed, any deadly weapon, to wit, a pistol, shotgun, or rifle, while engaged in the illegal transportation or manufacture of intoxicating liquors within Durham County and Carteret, Franklin, Cherokee, Clay, Macon, Graham, Avery, Rockingham and Granville counties. Whenever a person is convicted of the illegal transportation or manufacture of intoxicating liquors and a deadly weapon, to wit, a pistol, shotgun, or rifle is, or was, found in or around the place where such intoxicating liquors was being so illegally manufactured or transported, it shall be *prima facie* evidence that such deadly weapon was in the possession and under the control and about the person of any and all such person or persons so convicted of engaging in the illegal manufacture or transportation of said intoxicating liquors, and was presumptively had for the purpose of preventing the officers from enforcing the law with respect to the illegal transportation and manufacture of intoxicating liquors.

SEC. 2. Any person violating the provisions of this act shall be guilty of a felony, and shall be punished by imprisonment in the State's prison or county jail for not more than five years.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 212

AN ACT TO AMEND CHAPTER 94, CONSOLIDATED STATUTES, RELATING TO THE COLLECTION OF ASSESSMENT OF DRAINAGE DISTRICTS.

The General Assembly of North Carolina do enact:

SECTION 1. That section five thousand three hundred and sixty-two of the Consolidated Statutes of North Carolina, be and the same is hereby amended by adding at the end of said section the following words: "*Provided*, that if at any such sale the sheriff or

Land struck off
to drainage
commission.

tax collector shall receive no bid for any such land which may be offered for sale equal to all assessments then due, whether the same be the assessments due for the next preceding year, or for any prior thereto, together with interest and cost, then the board of drainage commissioners of the district embracing such lands shall be deemed the purchaser at said sale, and said board shall thereupon have such right to receive a certificate or deed therefor, and shall have every right of foreclosure for the purpose of enforcing collection for the same, as is now or hereafter may be conferred upon boards of county commissioners: *Provided further*, that the provisions of this amendment shall apply only to the county of Harnett.

Rights of commission.

Application of act.

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 213

AN ACT TO PROTECT GAME IN BURKE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That John M. Mull and Robert Patton of Morganton Township, J. G. Berry of Lovelady Township, D. S. Lail of Icard Township, Zero Mull of Upper Fork Township, Pink Cook of Lower Fork Township, D. H. Bollinger of Silver Creek Township, and Peter Young and Frank Denton of Burke County, be and the same are hereby appointed game wardens for Burke County, North Carolina. That immediately upon the ratification of this act, they shall meet at Morganton and organize by electing one of their number chairman and one secretary. That it shall be the duty of the secretary to keep the minutes of the proceedings showing the organization and other records, and as such organization shall be known as the Game Association of Burke County, and charged with the duty of protecting the wild game of said county, and seeing that the law with respect thereto is enforced and to this end they may employ counsel to assist in the prosecution of any one charged with its violation, and pay therefor from any funds in its hands on deposit with the clerk of the Superior Court of said county.

Game wardens appointed.

Meeting and organization.

Duty of secretary.

Official entitlement.

Duty charged.

Employment of counsel.

SEC. 2. That for the more efficient enforcement of the law, the said association and wardens are authorized and empowered to appoint deputy or assistant game wardens for said county, who shall qualify by taking the usual oath of a township constable, and when so qualified shall have all the authority of a peace

Deputy game wardens.

Deputies to qualify.

Authority.

Arrests without warrant.

officer and town constable, and may arrest any one caught by them in the act of violating the law without warrant. *

Hunting or trapping in close season forbidden.

SEC. 3. It shall be unlawful to hunt for, kill, shoot, trap, take, or catch any game or wild bird herein named or designated, or any wild animal herein named, during the closed season for such game, which is declared to be as follows, viz.: For quail or wild duck, from the first day of February to the fifteenth day of November of each year; for coon and opossum, from the fifteenth day of February to the first day of October; for squirrel and fox, from the first day of March to the first day of September; for deer or wild turkey, at any time for a period of five years.

Close season.

For quail and wild duck.

Coon and opossum.

Squirrel and fox.

Deer and wild turkey.

Nonresidents to take out license.

SEC. 4. That it shall be unlawful for any nonresident to hunt during the open season in Burke County for any game, wild fowl or animal herein named, without first having applied for, paid, and obtained a license, which shall be issued by the clerk of the Superior Court of Burke County, who is charged with having such licenses printed and kept for issuance at his office, the license fees to be paid for such privilege shall be as follows, to wit: For the privilege of hunting quail, squirrel, opossum, coon, or duck, ten dollars per season for each nonresident; for the privilege of hunting fox, two dollars and fifty cents per season for each resident of Burke County, and twenty-five dollars per season for each nonresident of Burke County. In addition to such license, applicant shall also pay the clerk twenty-five cents for issuing each license.

License fees.

Fee of clerk.

Trapping forbidden.

SEC. 5. That it shall be unlawful at any time to kill, or catch any fox, coon, quail, or duck by trap, net, snare, or otherwise than by the usual method of hunting, and it shall be unlawful to kill any fox or catch any fox by shooting snare or trap, at any time, whether in open or closed season.

Prima facie evidence.

SEC. 6. That any one found hunting or out in the fields or woods with dogs shall be presumed to be hunting, and the same shall be *prima facie* evidence that those apparently in charge of such, and those along, are hunting.

Training fox hounds.

SEC. 7. That upon written application of any one training young fox dogs, for permission to turn loose any fox bought by such trainer, and run same, the same game association may, in its discretion, give permission to run such fox by specifying the section and place at any time during the closed season for hunting fox.

Limit of bag.

SEC. 8. That it shall be unlawful for any one during the open season to take, catch, or kill more than ten quail and more than five ducks in any one day, and the possession of more of either shall be *prima facie* evidence that such person has killed more than said number in one day.

Issue and record of licenses.

SEC. 9. That the clerk of the Superior Court of Burke County shall have printed and issued any and all licenses herein provided, and collect all fees for the same, and he shall keep a record of

any and all such licenses issued by serial numbers, in a book open to the inspection of the public, and the funds shall be held by him and paid out upon the order of the game association, signed by the chairman and secretary, and any balance after payment for all expenses incurred shall at the close of each season be expended in restocking the said county with wild foxes or other game, as the said association may deem proper.

Record open for inspection.
Use of funds.

SEC. 10. That nothing in this act shall be construed to require any landowner of Burke County to take out or pay for a license to hunt during the open season on his own premises, nor shall it be construed to require any one to have a license to hunt rabbits, or other wild animals not protected or covered by this act. *Provided*, nothing herein shall be construed so as to repeal the present law requiring the permission of the landowner to hunt on the lands of another, nor shall the possession of a license authorize one to hunt on the lands of another without the permission of such landowner first had.

Landowners of county.

Rabbits.

Proviso: permission of landowner required.

SEC. 11. It shall be unlawful to sell or offer for sale any wild duck, or quail, except the same shall have been killed on one's own premises, and then only after first securing the permission of the said wardens herein named, who may, upon application, give such permit to the owner of the land.

Sale of wild duck or quail.

Permission for sale.

SEC. 12. That any one violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

Misdemeanor.

Punishment.

SEC. 13. That the Secretary of State, upon the enrollment of this act, shall certify a copy of the same to the clerk of the Superior Court of Burke County, who shall give general notice or a synopsis thereof by circular or other publication of its provisions to the public.

Copy of act to be sent to county.

Notice of act.

SEC. 14. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 15. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 214

AN ACT TO ALLOW OFFICERS OF LEE AND CHATHAM COUNTIES TO MAKE ARRESTS IN EITHER COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, deputy sheriffs, constables, deputy constables, and other special officers of Lee and Chatham counties, be and they are hereby empowered and authorized to make raids and arrests of persons illegally engaged in the manufacture of

Authority of officers.

Trial in county
of arrest.

intoxicating liquors within three miles of the county line between Lee County and Chatham County. That the persons so arrested by the officers of one county within the area of the other county shall be turned over to the officers of the county in which the arrest was made, to be there proceeded with as in other cases of arrests.

Construction
of act.

SEC. 2. This act shall not be construed as a limitation upon the powers of the officers designated, but as an authority to said officers to aid in preventing the illegal manufacture and sale of intoxicating liquors along the line between Lee and Chatham counties.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 215

AN ACT TO AMEND CHAPTER 575, PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE WIDTH OF THE RIGHT OF WAY OF CERTAIN ROADS IN COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

Proviso: width of
right of way.

SECTION 1. That section twenty-one, chapter five hundred and seventy-five, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting at the end of said section the following: "*Provided*, that in case any public road in any township in Columbus County is being constructed or improved with the purpose and expectation of securing the adoption of said road as a part of the State highway system, the said right of way may be as much as forty feet (40') in width."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 216

AN ACT TO AMEND ARTICLE 8, CHAPTER 94, OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA, ENTITLED "DRAINAGE."

The General Assembly of North Carolina do enact:

SECTION 1. That article eight of chapter ninety-four of the Consolidated Statutes of North Carolina, entitled "Drainage," be and the same is hereby amended by inserting between section

five thousand three hundred and sixty-nine and section five thousand three hundred and seventy in said article eight, a new section to be numbered and entitled:

"5369a. *Fees of County Treasurers for Collection and Disbursement of Assessments for Maintenance of Drainage Districts.* The fee allowed the county treasurer of any county in which a drainage district has been heretofore or may hereafter be organized and established under this chapter, or under any laws in force prior to the enactment of the Consolidated Statutes of North Carolina, for receiving and disbursing the funds collected and arising from assessments in such districts, for maintenance of such districts, shall be one per cent of the amounts disbursed by them: *Provided*, that in those counties where the county treasurers are on a salary basis, no fees whatever shall be allowed for collecting or disbursing the funds of the drainage districts. *Provided further*, that this section shall be construed and interpreted to embrace and provide for all cases where the county treasurers of any county in the State have received and disbursed such maintenance assessments in any drainage district in North Carolina, organized and established since the enactment and ratification of chapter four hundred and forty-two of Public Laws of one thousand nine hundred and nine, ratified the fifth day of March, one thousand nine hundred and nine, or since the enactment of any amendments to the said acts, and that all county treasurers who have received and disbursed such maintenance assessments for any drainage district since the enactment of the two acts above mentioned, or any amendments hereto, shall be entitled to receive the commissions provided herein, as fully to all intents and purposes as if this act had been enacted and ratified on the fifth day of March, one thousand nine hundred and nine."

Fees of county treasurers.

Commission on disbursements.
Proviso: treasurers on salary.

Proviso: receipts and disbursements heretofore made.

Treasurers entitled to receive commissions.

SEC. 2. This act shall apply to drainage districts in Hyde and Washington counties only. Application of act.

SEC. 3. This act shall be in force from and after its ratification. Ratified this the 19th day of December, A.D. 1921.

CHAPTER 217

AN ACT TO REPEAL CHAPTER 197, PUBLIC-LOCAL LAWS 1921, RELATAING TO THE NUMBER OF COUNTY COMMISSIONERS OF COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and ninety-seven, Public-Local Laws, one thousand nine hundred and twenty-one, be and the same is hereby repealed: *Provided*, that the foregoing pro-

Law repealed.

Proviso: when repeal effective.

visions of this section shall be effective from and after the first Mouday in December, one thousand nine hundred and twenty-two.

Election of county commissioners.

SEC. 2. That at the general election to be held in Columbus County, in the year one thousand nine hundred and twenty-two, there shall be elected only three county commissioners.

SEC. 3. That this act shall be in force from and after its ratification.

*Ratified this the 19th day of December, A.D. 1921.

CHAPTER 218

AN ACT REQUIRING THE AUDITING OF THE BOOKS AND ACCOUNTS OF THE HIGHWAY COMMISSION OF MURPHY TOWNSHIP, CHEROKEE COUNTY.

The General Assembly of North Carolina do enact:

Books and accounts to be audited.

SECTION 1. That the members of the highway commission of Murphy Township, Cherokee County, North Carolina, are hereby required to have the books and accounts of the highway commission of Murphy Township, Cherokee County, duly and properly audited, by a duly licensed and certified accountant.

Audit to show.

SEC. 2. That said auditing shall show receipts and disbursements, stating from what source receipts came and for what expended, for the years one thousand nine hundred and nineteen, one thousand nine hundred and twenty, and one thousand nine hundred and twenty-one, and when said audit is completed, same shall be filed in office of said highway commission and then duly recorded on record of said highway commission, and shall, at all times be open to inspection by any taxpayer in said Murphy Township.

Audit to be filed and recorded.

Open for inspection.

Highway commission to keep books and accounts.

Books to be balanced regularly and open for inspection.

SEC. 3. That said highway commission shall keep a full and complete set of books and accounts of receipts, and in its accounts shall show what each item of expenditure is for, and shall regularly balance its books and accounts, which books shall at all times be open to inspection by any taxpayer in Murphy Township.

Expense of audit.

SEC. 4. That all expenses of auditing the books of said highway commission shall be paid out of the funds coming into the hands of said commission from any tax collected and turned over to it or any of its members.

Beginning of audit.

Extension of time.

SEC. 5. That said auditing shall be begun not later than February first, one thousand nine hundred and twenty-two, and completed as soon as practicable. If, however, a duly licensed and certified accountant cannot be employed by the first of

February, one thousand nine hundred and twenty-two, then said auditing shall begin as soon thereafter as one can be employed and completed as soon as practicable.

SEC. 6. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 219

AN ACT TO AMEND CHAPTER 323 OF THE PUBLIC-LOCAL LAWS, SESSION OF THE GENERAL ASSEMBLY OF NORTH CAROLINA 1921, THE SAME BEING ENTITLED "AN ACT TO PROVIDE FOR THE CONSTRUCTION AND MAINTENANCE OF THE ROADS OF MACON COUNTY AND TO AUTHORIZE BOND ISSUE AND SPECIAL TAXES THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That section two, chapter three hundred and twenty-three, Public-Local Laws, session one thousand nine hundred and twenty-one of the General Assembly of North Carolina, be and the same is hereby amended by striking out said section and by inserting in lieu thereof the following: "The county commissioners of Macon County, may, in their discretion, appoint and employ a competent road superintendent, who shall be a properly qualified person with technical training, and who shall, if appointed, superintend the construction, maintenance and repair of the public roads of Macon County under the direction and control of said board of county commissioners. The said board of county commissioners of Macon County is hereby authorized and empowered to fix the salary of said superintendent of roads and to pay the same out of the road funds of Macon County, and the said board of county commissioners may employ said superintendent either for all or a portion of the time. Should a superintendent of roads not be employed, then the said board of county commissioners is hereby authorized and empowered to hire or employ a competent engineer or surveyor for any special purpose and to pay for the services rendered out of the road funds of Macon County as otherwise provided for in this act.

Road superintendent.
Schedule of duties.
Salary of superintendent.
Employment entire or partial.
Employment of engineer or surveyor.

SEC. 2. That section three of said chapter three hundred and twenty-three, Public-Local Laws, session one thousand nine hundred and twenty-one of the General Assembly of North Carolina, be and the same is hereby amended by striking out said section three and inserting in lieu thereof the following: "That the board of county commissioners of Macon County shall appoint one or more road overseers in each township in Macon County, who

Road overseers.

shall have direct charge of the road forces in his township or road district so assigned him, and shall report direct to said board of county commissioners each and every month, which report shall state the condition of the road under his charge and contain an itemized statement of all money collected or expended by him and of the free-labor work during said month, and shall further contain an itemized statement of all bills to be paid out for work done on his section, which statement shall be sworn to before some person authorized to administer oaths: *Provided*, that no road overseer shall be appointed for that portion of the road of Franklin Township embraced within the corporate limits of the town of Franklin."

Monthly reports.
Details.

Proviso: town of Franklin.

SEC. 3. That section four of said chapter three hundred and twenty-three, Public-Local Laws, session one thousand nine hundred and twenty-one, of the General Assembly of North Carolina, be and the same is hereby amended by striking out said section and inserting in lieu thereof the following: "That the board of aldermen of the town of Franklin shall have the custody and control of the construction, repair and maintenance of all streets within the corporate limits of the town of Franklin, and shall appoint its road overseer, shall work all the free labor within said town as provided for in this act and the Consolidated Statutes of North Carolina; that the sheriff and tax collector of Macon County, when collected, shall turn over to the treasurer of the town of Franklin to be used by the board of aldermen of said town, on the roads and streets of said town, seventy-five per cent of all the road tax levied under this act by the board of county commissioners and collected on all property situated within the corporate limits of said town of Franklin."

Aldermen given charge of streets.

Free labor.

Apportionment of road fund to town.

Tax rate.

SEC. 4. That section seven of said chapter three hundred and twenty-three, Public-Local Laws, session one thousand nine hundred and twenty-one of the General Assembly of North Carolina, be and the same is hereby amended by striking out the words "twenty cents" in line five and inserting in lieu thereof the words "forty cents."

Care of roads devolved on county commissioners.

SEC. 5. That section eleven of said chapter three hundred and twenty-three, Public-Local Laws, session one thousand nine hundred and twenty-one of the General Assembly of North Carolina, be and the same is hereby amended by striking out said section and inserting in lieu thereof the following: "It shall be the duty of the county commissioners of Macon County to see that all the roads in said county, except the roads and streets within the corporate limits of the town of Franklin, are kept in proper repair and to generally superintend the construction and maintenance of all roads within said county, except those roads and streets within the corporate limits of the town of Franklin. For their services, while actually engaged in the work of superintending

Pay while on road work.

said roads and the construction and maintenance thereof, each member of the board of county commissioners of Macon County shall receive the sum of four dollars (\$4) per day and actual expenses, to be paid out of the road funds provided for in this chapter."

SEC. 6. That said chapter three hundred and twenty-three of the Public-Local Laws, session of the General Assembly of North Carolina, one thousand nine hundred and twenty-one, be further amended by adding at the end of said chapter a new section to be known as section thirteen and a half, and which shall read as follows:

"SEC. 13½. That should the county of Macon lend any of the funds provided for in this act to the State of North Carolina to further the construction of State highways, the sheriff and treasurer of said county shall only receive a commission of one-half of one per cent for disbursing the same to the road authority of the State. The sheriff and treasurer of Macon County shall receive no commission for receiving the bond money provided for in this act."

Commission of
sheriff on loans to
State.

No commissions
on receipts.

SEC. 7. That said chapter three hundred and twenty-three of the Public-Local Laws, session one thousand nine hundred and twenty-one of the General Assembly of North Carolina, be further amended by adding at the end of said chapter a new section to be known as section thirteen and three-fourths, which shall read as follows:

"SEC. 13¾. That all bonds heretofore issued by the road authorities of Franklin Township for road purposes, under and by virtue of chapter one hundred and ninety-seven of the Public-Local Laws of North Carolina, session one thousand nine hundred and thirteen, and all amendments thereto, and the ten thousand dollars (\$10,000) in bonds heretofore issued by the board of county commissioners of Macon County under said chapter three hundred and twenty-three, Public-Local Laws, North Carolina, session one thousand nine hundred and twenty-one, and made a charge upon the property of Franklin Township, and all bonds heretofore issued by the board of county commissioners of Macon County and charged upon the property of Highlands Township, be and the same are hereby made a charge upon all the taxable property of Macon County. And the board of county commissioners of Macon County are hereby authorized, empowered, and directed to levy a sufficient special annual tax *ad valorem* upon all the taxable property in said county to pay the interest on all of said bonds heretofore in this section mentioned and to provide a sinking fund for the payment of the principal of said bonds at the maturity thereof. And the board of county commissioners of Macon County is further authorized, empowered and directed to levy a sufficient annual tax to extend *pro rata* over a period of three years, including and after the year one thousand nine

Bonds of Franklin
and Highlands
Township assumed
by county.

Special tax.

Special tax.

hundred and twenty-two, to pay off and discharge the indebtedness incurred in constructing the roads of Franklin Township in accordance with the construction program instituted under chapter one hundred and ninety-seven of the Public-Local Laws one thousand nine hundred and thirteen, which program was exceeded."

Repealing clause.

SEC. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

Act to be ratified by county commissioners.

SEC. 9. That none of the foregoing provisions of this act shall be effective unless and until this act shall have been ratified and approved by the board of county commissioners of Macon County at a regular meeting of said board to be held not later than six months after the ratification of this act, which said ratification and approval of said board of county commissioners shall be spread upon the minutes of the meeting at which said ratification and approval is made.

Time for ratification.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 220

AN ACT TO PLACE THE CHAIRMAN OF THE BOARD OF COMMISSIONERS OF SWAIN COUNTY ON A SALARY.

The General Assembly of North Carolina do enact:

Chairmanship made separate office.
Election.

SECTION 1. That hereafter the position of chairman of the board of county commissioners of Swain County shall be a distinct office, and all candidates for said office shall be designated and voted for in each general election.

Duties as chairman and as supervisor of roads.

SEC. 2. The said chairman shall give his entire time and services to Swain County, and he shall also perform the duties of general supervisor of all roads in the county and shall investigate all matters coming under the jurisdiction of the board of county commissioners.

Salary.

SEC. 3. That the salary of said chairman of the board of commissioners of Swain County shall be two thousand five hundred dollars per year. That T. C. Queen is hereby designated as present chairman and his salary under this bill shall take effect from and after January one, one thousand nine hundred and twenty-two, and shall be in lieu of all other pay and emoluments of office as chairman of the board of commissioners of Swain County, and also as general supervisor of the roads of said county.

Chairman named.
When salary begins.

Claims presented in writing.

SEC. 4. That all claims of any kind and nature against the county shall be presented in written form to said chairman at

least two weeks before the regular monthly meeting of said board in order that the chairman may have time to investigate them. Time for presentation.

SEC. 5. That this act shall in no way affect, change, or alter the duties of the chairman of the board of county commissioners of Swain County heretofore existing under the law. Duties under existing law.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 221

AN ACT TO FIX THE HUNTING SEASON FOR QUAIL AND SQUIRREL IN GRANVILLE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful to hunt, kill or wound quail or partridge with gun, dog, or by any other means between February first and November first of each year. Close season for quail.

SEC. 2. That it shall be unlawful to hunt, kill, or wound squirrel with gun, dog, or by any other means between February first and August fifteenth of each year. Close season for squirrels.

SEC. 3. That this act shall apply only to Granville County. Application of act.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 5. That this act be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 222

AN ACT TO AMEND CHAPTER 142, PUBLIC-LOCAL LAWS OF NORTH CAROLINA, SESSION 1921, RELATING TO THE FEES OF THE SHERIFF OF MADISON COUNTY.

The General Assembly of North Carolina do enact:

SEC. 1. That sections number two and number three of chapter one hundred and forty-two, Public Laws of North Carolina, session one thousand nine hundred and twenty-one, be stricken out and the following substituted in lieu thereof: "That the sheriff of Madison County shall receive for his services in addition to the salary of thirty-two hundred dollars (\$3,200) per annum, provided for in said chapter, all fees for making arrests and serving legal process made by him: *Provided*, that all Fees in addition to salary.

Proviso: fees to be received by deputies.

Proviso: office
deputy.

deputies appointed by said sheriff shall receive for their services all fees for arrests and serving process by them as now provided for in said chapter: *Provided, however,* that the sheriff may make such arrangements as he may deem proper with his office deputy.

Sheriff to hire
sufficient help.

SEC. 2. That by reason of the increased salary for the sheriff of said county of Madison he is expected and required to have sufficient help to perform the duties imposed upon him as sheriff of said county.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 223

AN ACT TO AMEND CHAPTER 578, SECTION 1, OF THE PUBLIC-LOCAL LAWS OF 1921, RELATING TO THE FEES OF SHERIFF.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and seventy-eight, section one, of the Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended as follows: (1) By striking out the word "seventy" in line one of subsection (e) and inserting in lieu thereof the word "seventy-one"; (2) by striking out the word "eleven" in line one of subsection (f) and inserting in lieu thereof the word "twelve."

Reference
corrected.
Reference
corrected.

Repealing clause.

SEC. 2. That all laws and clauses of law in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 224

AN ACT FOR THE PROTECTION OF THE PUBLIC ROADS OF MOORE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be unlawful for any person, firm or corporation, to operate upon any of the public roads of Moore County, North Carolina, any harrows, vehicles with lugs upon the wheels of such vehicles, or to use the public roads of said

Prohibited
vehicles.

county in such way as to seriously damage the construction or maintenance of such public roads. Any person, firm or corporation, violating the provisions of this act shall be guilty of a misdemeanor and shall be fined or imprisoned at the discretion of the court.

Misdemeanor.
Punishment.

SEC. 2. That it shall be unlawful for any person, firm or corporation, to operate any motor vehicle or trailer upon and over any of the public roads of Moore County, North Carolina, which may have a weight, for both vehicle and load thereon, exceeding seven and one-half ($7\frac{1}{2}$) tons. Any person, firm or corporation violating the provisions of this act shall be guilty of a misdemeanor and shall be fined or imprisoned at the discretion of the court.

Limitation on weight.

Misdemeanor.
Punishment.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 225

AN ACT TO REQUIRE RETAIL DEALERS IN PISTOL CARTRIDGES TO KEEP A RECORD OF NAMES OF ALL PURCHASES AND DATES OF PURCHASES.

The General Assembly of North Carolina do enact:

SECTION 1. That every retail dealer in pistol cartridges or pistol balls shall be required to keep displayed in some public place in his place of business, for the inspection of the public, a book in which he shall require each and every purchaser of any pistol cartridges or pistol balls to register his or her name in his or her own proper handwriting, and the date of said purchase.

Record to be kept.

Purchaser to register.

SEC. 2. That it shall be unlawful to sell any pistol cartridges or balls to any person not personally known to the seller, without first having said person identified by some reliable person who does know said purchaser, and requiring said witness to also register his name as said witness in said book.

Identification of purchasers.

SEC. 3. That any retail dealer in pistol cartridges or pistol balls who shall violate any of the provisions of this act, upon conviction thereof, shall be fined not less than three hundred dollars nor more than five hundred dollars, or imprisoned not less than one month nor more than twelve months, in the discretion of the court.

Punishment.

SEC. 4. This act shall be in full force and effect from and after its ratification.

When act effective.

SEC. 5. That this act shall only apply to Sampson County.

Application of act.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 226

AN ACT AUTHORIZING THE BOARD OF COUNTY COMMISSIONERS OF STOKES COUNTY TO LEVY A SPECIAL TAX FOR PAYING INTEREST ON FLOATING INDEBTEDNESS.

The General Assembly of North Carolina do enact:

Purpose of tax.

SECTION 1. That for the purpose of paying the interest on present and future floating indebtedness, the board of county commissioners for the county of Stokes are hereby authorized and empowered, in their discretion, to annually levy a special tax not to exceed ten cents on the one hundred dollars worth of taxable property in said county.

Tax authorized.
Rate.

SEC. 2. That said tax shall be levied and collected in the same manner, at the same time and under the same penalties that other taxes of said county are levied and collected.

Levy and
collection.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 227

AN ACT TO AUTHORIZE THE APPOINTMENT OF A GAME WARDEN FOR WITTENBURG TOWNSHIP, ALEXANDER COUNTY.

The General Assembly of North Carolina do enact:

Appointment of
game warden.

SECTION 1. That not later than the fifth day of March, one thousand nine hundred and twenty-one, the clerk of the Superior Court of Alexander County shall, upon the petition of at least five citizens of intelligence and good moral character, of Wittenburg Township, in the county of Alexander, appoint for a term of two years, and every two years thereafter, a game warden for said township.

Vacancy to be
filled.

SEC. 2. That in case of the death, resignation, or failure to qualify of said appointee, the clerk of the Superior Court shall appoint another person.

Compensation.

SEC. 3. That the said game warden shall receive as compensation five dollars for each conviction secured under the provisions of this act: *Provided, however,* that said fee of five dollars shall be taxes against the defendant in the bill of costs.

Proviso: fee taxed
as costs.

Repealing clause.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

When act effective.

SEC. 5. That this act shall be in full force and effect from and after the first day of January, nineteen hundred and twenty-two.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 228

AN ACT TO AMEND CHAPTER '320 OF THE PUBLIC-LOCAL LAWS OF 1919, RELATING TO SALES ON SUNDAY IN FORSYTH COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and twenty of the Public-Local Laws of one thousand nine hundred and nineteen be amended by striking out the words "four miles" after the word "within" and before the word "of" in line three and insert in lieu thereof the words "one mile." Locality.

SEC. 2. This act shall be in force from and after its ratification. Ratified this the 19th day of December, A.D. 1921.

CHAPTER 229

AN ACT TO PROVIDE FOR THE REPORTING OF DEATHS TO THE CORONER OF NEW HANOVER COUNTY, WHERE THERE HAS BEEN NO MEDICAL ATTENDANCE, OR WHERE THERE IS REASON TO BELIEVE THE DEATH WAS THE RESULT OF AN UNLAWFUL ACT OR NEGLIGENCE, AND FURTHER TO DEFINE THE AUTHORITY AND DUTIES OF THE CORONER OF NEW HANOVER COUNTY IN CERTAIN CASES.

The General Assembly of North Carolina do enact:

SECTION 1. All deaths occurring within the county of New Hanover, and not having had medical or other curative or healing profession's attention, shall be reported immediately to the coroner, who shall investigate all the circumstances surrounding the said death and make report of cause of death promptly to the board of health of said county. Reports to coroner.

SEC. 2. When any death occurs within New Hanover County, and there is a reason to believe that said death was the result of some unlawful act or negligence the coroner shall be notified at once, and he shall take immediate charge of said body, which shall not be removed except upon his consent or for public necessity, until said body has been viewed by the coroner's jury. Investigation and report.

SEC. 3. Whenever by an affidavit of some responsible person it is stated that a party or parties (naming the same), came to his or her death through the unlawful act or negligence of some unknown party or parties, or upon the written request of the solicitor of the judicial district or the county solicitor of New Hanover County, the coroner of said county shall at once proceed to hold an inquest over said body as provided by law; and an Reports to coroner.

Charge of body.
Body not to be removed.

Inquests on affidavit of citizen or request of solicitor.

Autopsy.

autopsy shall be performed whenever in the judgment of the coroner or upon request of the jury of inquest the same shall be deemed necessary in order to determine the direct cause of death.

Acts declared
misdemeanor.

SEC. 4. Any person willfully failing to report any death as in this act provided, or willfully removing or interfering in any way with such dead body while under the care of the coroner, pending or during an inquest, except by permission of the coroner, shall be guilty of a misdemeanor and punishable accordingly.

Pay of coroner
for investigation.

SEC. 5. For his services in making investigations where no inquest is necessary, the coroner shall receive the sum of three dollars (\$3) for each case and all necessary expenses therefor, and for his services when it is necessary to hold an inquest, he shall be paid for his services the sum of seven dollars (\$7) per day, with all necessary expenses therefor.

Pay for inquest.

Repealing clause.

SEC. 6. All laws or parts of laws in conflict with this act to the extent of such conflict only are hereby repealed.

Application of act.

SEC. 7. This act shall only apply to New Hanover County, and shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 230

AN ACT TO AMEND CHAPTER 128, PUBLIC-LOCAL LAWS 1921, RELATING TO BOND ISSUE AND SPECIAL TAX FOR ROADS IN CLAY COUNTY.

The General Assembly of North Carolina do enact:

Issue of bonds
authorized.

SECTION 1. That the board of county commissioners of Clay County be and they are hereby authorized and empowered to issue the bonds authorized by chapter one hundred and twenty-eight, Public-Local Laws nineteen hundred and twenty-one, and to cause said bonds to mature at such time or times, not to exceed thirty years from the date thereof, as the board of commissioners may determine, and to cause said bonds to bear such date and to be in such form and denominations and at such place as the board may in its discretion determine.

Maturity.

Date and denomi-
nations.

Sale of bonds.

SEC. 2. That the board of commissioners of Clay County are hereby authorized and empowered to sell said bonds at public or private sale, and that said bonds shall not sell for less than par, and for the best interests of Clay County.

Sale below par
forbidden.

Obligation of
bonds.

SEC. 3. That the said bonds, when so issued and sold, shall constitute the full, direct, and valid obligations of Clay County, and all acts and proceedings heretofore taken by said board of commissioners with respect to the issuance and sale of said bonds are hereby fully authorized, ratified, approved, and confirmed.

Acts validated.

Special tax.

SEC. 4. That the said board of commissioners is hereby authorized and empowered to levy annually, at the time other taxes are

levied, a special tax upon all the taxable property in said county of sufficient rate and amount to pay the principal and interest of said bonds as the same become due.

SEC. 5. That the powers to issue the bonds authorized by this act are in addition to and not in substitution for those conferred by any other act, general or special, and that all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed. Powers additional.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 231

AN ACT TO AMEND CHAPTER 326, PUBLIC-LOCAL LAWS 1921, RELATING TO THE PUBLIC ROADS OF MITCHELL COUNTY, AND TO VALIDATE THE ISSUE OF CERTAIN ROAD BONDS FOR MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-four, chapter three hundred and twenty-six, Public-Local Laws nineteen hundred and twenty-one, be and the same is hereby amended by adding at the end of said section the following: "Chapter one hundred and seventy-two, Public-Local Laws nineteen hundred and fifteen, as amended by this act and as amended by House Bill one hundred and forty-three, Senate Bill two hundred, special session nineteen hundred and twenty-one, the same being entitled 'A bill to be entitled An act to amend chapter three hundred and twenty-six, Public-Local Laws nineteen hundred and twenty-one, relating to the public roads of Mitchell County and to authorize bond issues and special taxes therefor,' be and the same is hereby enacted, reënacted, and confirmed." Laws confirmed.

SEC. 2. That all acts of the board of road commissioners of Mitchell County, created by chapter three hundred and twenty-six, Public-Local Laws nineteen hundred and twenty-one, and chapter one hundred and seventy-two, Public-Local Laws nineteen hundred and fifteen, connected with the issue of bonds authorized by section eighteen, chapter three hundred and twenty-six, Public-Local Laws nineteen hundred and twenty-one, be and the same are hereby ratified, validated, and declared to be proper. The said bonds shall be incontestable after delivery notwithstanding any omissions in the details of issue. Acts of road commission validated.

Bond incontestable.

SEC. 3. That any bonds issued under the authority of chapter three hundred and twenty-six, Public-Local Laws nineteen hundred and twenty-one, or House Bill one hundred and forty-three, Bonds incontestable.

Senate Bill two hundred, extra session nineteen hundred and twenty-one, shall be incontestable after delivery notwithstanding any omissions in the details of issue and sale of same.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 232

AN ACT TO AMEND CHAPTER 180 OF THE PUBLIC LAWS OF NORTH CAROLINA, SESSION OF 1907, RELATIVE TO RECORDER'S AND JUSTICE'S COURTS OF PASQUOTANK COUNTY.

The General Assembly of North Carolina do enact:

Jury trials.

SECTION 1. In all trials in the recorder's court or trial justice's court of Pasquotank County, upon demand for a jury by the defendant or the prosecuting attorney representing the State, a jury shall be had in the same manner and under the same provisions as are set forth in regard to jury trials before justices of the peace, and the same procedure as is now provided by law for jury trials before justices of the peace shall apply.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 233

AN ACT TO AMEND THE LAW WITH REGARD TO DOG TAX IN WATAUGA COUNTY SO THAT THE PROCEEDS OF SAID TAX SHALL BE PAID TO THE SCHOOL FUND.

The General Assembly of North Carolina do enact:

Dog tax to school fund.

SECTION 1. That all the proceeds of the dog tax hereafter collected, under authority of law in Watauga County, shall be paid over to the treasurer of said county to the county board of education of said county, to be used for general school purposes.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 234

AN ACT EMPOWERING THE COUNTY COMMISSIONERS OF
WAKE COUNTY TO LEVY A ROAD TAX.

The General Assembly of North Carolina do enact:

SECTION 1. That the county commissioners of Wake County are hereby authorized and empowered to levy at the June session of their board, annually for road purposes, a tax of twenty-five cents on the one hundred dollars worth of property, and seventy-five cents on the poll, and the chairman of the county commissioners shall place the same on the tax list of the current year, to be included and collected in the annual tax.

Special tax
authorized.

Rate.

SEC. 2. That all laws and all clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 235

AN ACT TO AMEND CHAPTER 730, PUBLIC-LOCAL LAWS
OF 1919, TO THE PERMANENT IMPROVEMENT OF THE
PUBLIC ROADS OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section two of chapter seven hundred and thirty of the Public-Local Laws of one thousand nine hundred and nineteen, entitled "An act to issue bonds for the permanent improvement of the public roads of Catawba County," be amended by adding at the end of said section the following: "The Hickory and Newton Township road commission are hereby abolished and all the road building in the county shall be performed by the highway commission of Catawba County, as far as the authority is given in this law will permit."

Township com-
missions abolished.

SEC. 2. That section nine be amended by striking out the words "highway commission for the county of Catawba" in line six and inserting instead "the board of county commissioners of Catawba County."

Levy of taxes.

SEC. 3. That section twelve be amended by adding at the end of said section the following: "The county treasurer shall, from time to time, loan any surplus funds to the banks of Catawba County, prorating such loans in accordance with the capital and surplus of said banks: *Provided*, that any bank accepting any deposits shall execute a satisfactory bond to indemnify the county against any possible loss of any part of said deposits."

Loans to banks
of county.

Banks to give
bonds.

Notice to land-owners.

SEC. 4. That section thirteen be amended by adding in line twenty-three between the words "least" and "days" the word "ten" instead of the word "twenty."

Cartways.

SEC. 5. That between sections sixteen and seventeen there be inserted a new section, section sixteen (a), as follows: "That the highway commission of Catawba County shall have authority to lay out, build, and construct cartways in the same way that cartways are now established by law. And the said highway commission is hereby granted all the authority needed, not inconsistent with the Constitution of the State, in building roads, cartways, bridges, and everything needed in connection with the said work."

Repealing clause.

SEC. 6. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 7. That this act shall be in force and effect from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 236

AN ACT TO AMEND SECTION 5473 OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA, REDISTRICTING SCHOOL DISTRICTS.

The General Assembly of North Carolina do enact:

Section amended.

SECTION 1. That section five thousand four hundred and seventy-three (5473) of the Consolidated Statutes of North Carolina be and the same is hereby amended by inserting between the word "districts", and the word "wherever" in line three (3) of said section the following: "or parts of districts, and to establish new districts composed of one or more old districts, or parts of districts"; so that hereafter the said section five thousand four hundred and seventy-three (5473) shall read as follows: "The county board of education is hereby authorized and empowered to redistrict the entire county or any part thereof, and to consolidate school districts, or parts of districts, and to establish new districts composed of one or more old districts, or parts of districts, whenever and wherever in its judgment the redistricting or the consolidation of districts will better serve the educational interests of the township, or the county, or any part of the county."

County board of education to redistrict entire county or any part. Consolidate districts. Establish new districts.

Application of act.

SEC. 2. That this act shall apply to Moore and Robeson counties only.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 237

AN ACT TO AMEND CHAPTER 185, PUBLIC-LOCAL LAWS OF REGULAR SESSION OF 1921, RELATING TO FISHING IN BLACK RIVER, MINGO CREEK, AND STONY RUN IN SAMPSON COUNTY, CUMBERLAND AND HARNETT COUNTIES.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and eighty-five, section one, of Public-Local Laws of regular session one thousand nine hundred and twenty-one, be and the same is hereby amended by inserting in section one, in line ten, after the word "road" the words "and Stony Run in Harnett County."

Law extended.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 238

AN ACT TO AUTHORIZE AND EMPOWER THE BOARD OF COMMISSIONERS OF RICHMOND COUNTY TO REFUND THE FLOATING ROAD INDEBTEDNESS OF THE COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of paying the floating indebtedness incurred for necessary expenses in the construction and maintenance of public roads and bridges in the county of Richmond, the board of commissioners of the said county of Richmond is hereby authorized, empowered, and directed to issue coupon bonds of said county of Richmond to an amount not exceeding seventy-five thousand dollars (\$75,000), and to be denominated "Richmond County Road Bonds," of denominations to be determined by said board of commissioners, said bonds to bear such date as may be fixed by the board of county commissioners, said bonds to bear such date as may be fixed by the board of county commissioners, and bearing interest from the date thereof at the rate of not exceeding six (6) per cent per annum, with interest coupons attached, payable semiannually, at such times and places as may be deemed advisable by said board of commissioners; said bonds to be of such form and tenor, and transferable in such way, and the principal thereof payable at such time or times, not exceeding thirty (30) years from the date thereof, and such place or places as the board of commissioners of said county may deter-

Purpose of bond issue.

Bond issue directed.

Amount.

Official entitlement.

Date.

Interest.

Maturity.

Authentication. mine, which bonds shall be numbered and shall be signed by the chairman of said board and countersigned by the clerk thereof, and shall have the county seal impressed thereon.

Advertisement of sale. SEC. 2. That before selling said bonds said board of commissioners shall advertise the same for thirty (30) days immediately preceding the date of sale in at least one newspaper of general circulation published in Richmond County, and may also advertise said sale in one or more financial journals published anywhere in the United States, giving the time and place when bids will be open for the sale of said bonds and the terms upon which said bonds are issued: *Provided*, that said board shall have the right, in its discretion, to reject any and all bids for said bonds, but shall not accept any bid for less than par: *Provided further*, that after said board of commissioners shall have advertised for bids for said bonds and no acceptable bids shall have been made therefor, then said board shall have the discretion to sell said bonds, or any part thereof, privately to such person or persons as shall make a satisfactory offer therefor, which offer, however, shall not be less than par, with accrued interest, or to readvertise for bids for said bonds, as provided in this section, in case a satisfactory sale thereof cannot be effected.

Proviso: right to reject bids.
Sale below par forbidden.
Proviso: power to sell at private sale.

Or readvertise for bids.

Special tax.

SEC. 3. That for the purpose of paying the accrued interest on said bonds and to provide a sinking fund for the payment of the principal thereof when due, the board of commissioners of Richmond County, in the event that the general tax levies of said county shall be insufficient for such purpose, shall levy, and cause to be collected annually as other taxes are levied and collected, a special tax upon all subjects of taxation sufficient in amount to pay said interest and create said sinking fund to pay the principal of said bonds at the maturity thereof.

SEC. 4. This act shall be in full force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 239

AN ACT TO REPEAL CERTAIN BOND MEASURES HERETOFORE PASSED FOR WAKE COUNTY.

The General Assembly of North Carolina do enact:

Specific repeal.

SECTION 1. That chapter two hundred sixty-six, Public-Local Laws one thousand nine hundred and nineteen, which authorized the commissioners of Wake County to issue one hundred and fifty thousand dollars (\$150,000) worth of bonds, is hereby repealed.

Specific repeal.

SEC. 2. That chapter one hundred thirty-three, Public-Local Laws one thousand nine hundred and twenty-one, which author-

ized the commissioners of Wake County to issue bonds in the sum of three hundred and fifty thousand dollars (\$350,000) is hereby repealed.

SEC. 3. This act shall be in force and effect from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 240

AN ACT TO AUTHORIZE THE COMMISSIONERS OF BURKE COUNTY TO LEVY A SPECIAL TAX FOR THE SUPPORT OF THE POOR.

The General Assembly of North Carolina do enact:

SECTION 1. The commissioners of Burke County are hereby authorized and empowered to levy a special tax not to exceed ten cents on each hundred dollars valuation on all real and personal property in Burke County, for the support of the poor and indigent in said county.

Special tax
authorized.
Limit of rate.

Purpose.

SEC. 2. That all special or general tax heretofore levied for the support of the poor for the year one thousand nine hundred and twenty-one in Burke County is hereby in all respects validated and declared legal.

Tax levies
validated.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 241

AN ACT TO VALIDATE TAX LEVY FOR COUNTY HOME PURPOSES IN CHATHAM COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the tax levy of two cents on each one hundred dollars valuation of taxable property made by the board of county commissioners of Chatham County on the first Monday in September, nineteen hundred and twenty-one, for county home purposes, be and the same is hereby ratified, confirmed, and validated, and the said levy made on the said first Monday in September shall be collected along with the other county taxes levied for the year nineteen hundred and twenty-one, and shall constitute a valid and enforceable part of same.

Tax levy validated.

Collection.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 242

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF CARTERET COUNTY TO LEVY A SPECIAL TAX.

The General Assembly of North Carolina do enact:

Special tax authorized.	SECTION 1. That the board of county commissioners of Carteret County, on recommendation of the board of education of said county, are hereby authorized and empowered to levy, in addition to all other taxes authorized, a tax in the year of one thousand nine hundred twenty-two, and each year thereafter, not to exceed fourteen cents on the hundred dollars worth of property and forty-two cents on the poll, the constitutional equation to be observed in the levy, the said special tax to be used for the purpose of erecting and remodeling school buildings in Carteret County.
Limit of rate.	
Constitutional equation.	
Purpose of tax.	
Levy, collection and settlement.	SEC. 2. That said special tax be levied at the same time and in the same manner that other taxes are levied each year and collected by the sheriff of Carteret County and turned over to the treasurer of said county as a part of the school fund of the county.
Repealing clause.	SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed.
	SEC. 4. That this act shall be in force from and after the date of its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 243

AN ACT TO AUTHORIZE THE BOARD OF COUNTY COMMISSIONERS OF HALIFAX COUNTY TO BUILD A NEW COUNTY HOME FOR THE AGED AND INFIRM, TO ISSUE BONDS TO OBTAIN FUNDS FOR SAID PURPOSE, AND TO SELL THE PRESENT COUNTY HOME FARM AND PURCHASE ANOTHER, IF THE BOARD IN ITS DISCRETION SHALL DEEM SUCH SALE AND PURCHASE FOR THE BEST INTEREST OF THE COUNTY.

The General Assembly of North Carolina do enact:

Building authorized.	SECTION 1. That the board of county commissioners of Halifax County be and it is hereby authorized and empowered to build for the county of Halifax a new county home for the aged and infirm, suitable to the needs thereof, either upon the present county-home farm or upon such other county home farm as the commissioners may purchase, as hereinafter provided for.
Location.	

SEC. 2. For the purpose of obtaining the necessary funds for building and furnishing said new county home the board of commissioners of Halifax County is hereby authorized, upon the conditions and subject to the limitations and restrictions set forth in this act, to issue bonds of said county in an aggregate principal amount not exceeding forty thousand dollars (\$40,000), for the purpose of this act. Said board is hereby authorized to levy annually a special tax *ad valorem* upon taxable property in said county for the special purpose of paying the principal and interest on all bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and in addition to all other tax authorized to be levied by said board.

Bond issue authorized.

Amount.

Special tax.

SEC. 3. The bonds authorized by this act shall be issued all at one time, and shall so mature that the aggregate principal amount of the issue shall be payable in annual installments beginning not more than five years after the date of the bond and ending not more than thirty years after such date.

Issue and maturity of bonds.

SEC. 4. Said bonds shall be issued in such form and denominations, and with such provisions as to time, place, and medium of payment of principal and interest as the board of county commissioners may determine, subject to the limitations and restrictions of this act. The bonds shall bear interest at a rate not in excess of six per centum per annum payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal or as to both principal and interest. They shall be signed by the chairman of the board of county commissioners of Halifax County, and the county seal shall be affixed to the bonds attested by the clerk of said board; and the coupons of such bonds shall bear the printed or lithographed or engraved facsimile signature of the chairman of said board of county commissioners, who is in office at the date of the bonds. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signing.

Form and denominations.

Interest.
Coupon or registered.

Authentication.

Delivery.

SEC. 5. Said bonds shall be sold in the manner provided in the Municipal Finance Act (chapter one hundred and thirty-eight of the Public Laws of one thousand nine hundred and seventeen, as amended for the sale of bonds of cities and towns). They shall not be sold for less than par and accrued interest.

Sale of bonds.

Sale below par forbidden.

SEC. 6. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purpose for which the bonds were issued. The purchaser of the bonds shall not be bound to see the application of the proceeds.

Specific appropriation.

Obligation of purchaser devolved.

SEC. 7. The powers granted by this act are granted in addition to and not in substitution for existing powers of Halifax County, and are not subject to any limitation or restriction contained in any other law.

Powers additional.

Sale of present farm.

SEC. 8. That the board of county commissioners of Halifax County, in its sound discretion, shall have power and authority to sell for a fair and reasonable price the present county-home farm and purchase another, if in the opinion of said board a more suitable location for a county-home farm can be obtained for a reasonable price, and the board shall deem it for the best interest of the county to make such sale and purchase.

Repealing clause.

SEC. 9. All laws and parts of laws in conflict with this act are hereby repealed.

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 244

AN ACT TO AMEND THE CALDWELL COUNTY GAME LAW.

The General Assembly of North Carolina do enact:

Use of certain traps forbidden.

SECTION 1. That it shall be unlawful for any person to set, place or construct any steel trap, pole trap, or any pen trap in Yadkin Valley Township or Patterson Township, Caldwell County, on the lands of another without written permission.

Locality.

Fishing, except with hook and line, or gig.

SEC. 2. That it shall be unlawful for any person to fish with seines, nets, or in any other manner than by hook and line or gig in any of the waters of the Yadkin River or its tributaries in Caldwell County, North Carolina.

Locality.

Misdemeanor.

SEC. 3. Violation of this act shall be a misdemeanor, punishable by fine or imprisonment in the discretion of the court.

Punishment.

SEC. 3. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 245

AN ACT TO FIX THE COMPENSATION OF THE SHERIFF OF ANSON COUNTY FOR THE COLLECTION OF TAXES.

The General Assembly of North Carolina do enact:

Amount credited by county commissioners.

SECTION 1. That the board of commissioners of Anson County, in their settlements with the sheriff of said county, are authorized to credit him with the sum of two thousand two hundred and fifty dollars per annum, to be prorated among the several funds for which levies are made, and the board of education of said county

Amount credited by board of education.

are authorized and empowered to credit said sheriff, upon his settlement, with the sum of two thousand two hundred and fifty dollars per annum, to be prorated among the several funds for which accounts are kept by said board. The sums so hereby authorized to be credited shall be in lieu of all commissions for the collection of taxes due the county and school funds, and the said commissioners and board shall in no form or guise allow him any other or further compensation for the collection of taxes.

No further compensation.

SEC. 2. This act shall not apply to the taxes to be collected for the years one thousand nine hundred and twenty-one and one thousand nine hundred and twenty-two, but shall apply to succeeding years.

Application of act.

SEC. 3. All laws and clauses of laws in conflict with this act are to the extent of such conflict repealed.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 246

AN ACT TO AMEND AN ACT RATIFIED DECEMBER 19, 1921, THE SAME BEING SENATE BILL 67 AND HOUSE BILL 541, KNOWN AS THE PLANNING BOARD BILL, SO AS TO INCLUDE WAKE COUNTY IN ITS PROVISIONS.

The General Assembly of North Carolina do enact:

SECTION 1. That Senate Bill sixty-seven, House Bill five hundred and forty-one, ratified December nineteenth, one thousand nine hundred and twenty-one, be and the same is hereby amended by adding after the words "Buncombe and New Hanover" in the proviso that said act shall apply only to said counties, the word "Wake."

Law extended.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 247

AN ACT TO AMEND CHAPTER 435, PUBLIC-LOCAL LAWS 1913, RELATING TO THE SALARY OF THE TREASURER OF CATAWBA COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section eight, chapter four hundred and thirty-five, Public-Local Laws one thousand nine hundred and thirteen, be and the same is hereby amended by adding at the end of said section the following: "That the said treasurer of Catawba

Salary from road fund.

Beginning and
end of allowance.

County, in addition to the above compensation, shall receive for the years one thousand nine hundred and twenty-two, one thousand nine hundred and twenty-three, and one thousand nine hundred and twenty-four, as compensation for his services in handling the road funds of the county a salary of four hundred dollars per year, which said special salary shall be paid out of the road funds of said county, and which said special salary shall begin January first, one thousand nine hundred and twenty-two, and end January first, one thousand nine hundred and twenty-five."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 248

AN ACT TO AMEND CHAPTER 122, PUBLIC LAWS 1913. INCREASING INTEREST RATES ON BAILEY TOWNSHIP ROAD DISTRICT BONDS.

The General Assembly of North Carolina do enact:

Interest.

SECTION 1. That said act be amended so as to strike out the word "five" (5) in line seven (7), of section one of said act, and insert in lieu thereof the word "six" (6).

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Application of act.

SEC. 3. This act shall only apply to Bailey Township, Nash County, North Carolina.

SEC. 3½. This act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 249

AN ACT TO PROVIDE SCHEDULE OF FEES TO BE COLLECTED BY THE CLERK OF THE SUPERIOR COURT IN LEE COUNTY.

The General Assembly of North Carolina do enact:

Law extended.

SECTION 1. That section one, chapter one hundred and forty-four, Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by striking out the word "and" before the words "Macon County" in line two of section one, and adding the words "and Lee County" after the words "Macon County" and before the word "whether" in line two of section one.

SEC. 2. That all laws and clauses of laws providing for the fees to be collected by the clerk of Superior Court of Lee County, which are in conflict with the provisions of this act are hereby expressly repealed. Repealing clause.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 250

AN ACT TO AUTHORIZE THE COMMISSIONERS OF THE COUNTY OF MARTIN TO PLACE CERTAIN OFFICERS ON SALARIES.

The General Assembly of North Carolina do enact:

SECTION 1. That the sheriff, clerk of the Superior Court and register of deeds of the county of Martin, and their respective deputies, shall collect and receive and account for all the fees, commissions, emoluments, and other compensation for their services to which they are entitled by virtue of their respective offices, and pay same on the first Monday of every calendar month, or within three days thereafter, into the treasury of Martin County, and they shall be responsible for and chargeable with all the moneys of every kind which are to be, or by law should be, paid into their respective offices, and shall be held to strict account therefor. Officers to collect and account for salaries.

Monthly settlements.

Chargeable for moneys.

SEC. 2. That said officers shall faithfully collect all fees, commissions, profits, and emoluments of all kinds now belonging or appertaining to, or which may hereafter by any law belong or appertain to their respective offices, and they shall receive as compensation for their services only such salaries and compensation as is hereinafter provided; and for any abstraction, concealment or misapplication of any kind of the moneys payable into their respective offices which any of them have collected, any one of them so abstracting, concealing, or misapplying the same shall be guilty of a felony, and upon conviction thereof shall forfeit their said office or offices and be punished as is now provided by law, as in cases of embezzlement by public officers. Officers to collect fees.

Compensation of officers.

Abstraction, concealment or misapplication felony.

Punishment.

SEC. 3. That each and all of said officers shall open and keep a separate set of books in which shall be promptly, correctly, truly, and accurately entered itemized accounts of all moneys collected or receivable by said officers, or which by law, are or may be, payable into their respective offices, and all the said books shall at all times be open to the inspection of the public upon demand, and said books shall be safely and securely kept so as to prevent loss or destruction by theft, fire or accident. Books to be kept.

Books open for inspection.

Care of books.

Transcripts to be
filed monthly.

Contents of
transcripts.

Statements
verified.

Reports of depu-
ties and clerks.

Supervision of
books.

Failure to keep
books and make
report misde-
meanor.
Punishment.

Salary of sheriff.

Fees for illicit
stills.

Expenses of con-
veying prisoners.

Court attendants.

Conveyance of
prisoners in
county.
Railroad fare.

Fees from State.

Salary of clerk of
court.

No further
allowances.

SEC. 4. That on the first Monday of each and every calendar month a true and accurate transcript shall be transmitted by each of the officers of Martin County to the board of commissioners of said county, said transcript to contain and show in detail all of the entries made upon said books during the preceding calendar month, which shall be sworn to and duly verified by the officer whose duty it is to make said entries and keep the books and accounts pertaining to his respective office. The various deputies or clerks shall make their reports to their respective officers as herein provided, and said reports shall form a part of the report of the officer whose deputy or clerk he is.

SEC. 5. The said books shall be open and kept in a manner to be prescribed and authorized by the board of commissioners of Martin County who shall have constant supervision of the same.

SEC. 6. That any officer failing to keep said books and make his report as provided for in this act shall be guilty of a misdemeanor and upon conviction shall be fined or imprisoned, or both, in the discretion of the court.

SEC. 7. That the sheriff of Martin County shall receive a salary of not less than five thousand dollars (\$5,000), nor more than seven thousand dollars (\$7,000) per annum, as full compensation for his service and the services of such assistants, deputies and clerks as he may appoint, and jailer. The sheriff shall receive no other compensation whatever except such fees as are now or may hereafter be allowed by law to the sheriffs for the seizure and destruction of illicit stills, and for actual necessary expenses for conveying prisoners to jail in counties other than their own, and to the State's prison, and insane persons to the State Hospital. It is expressly provided by the terms of this act to be the duty of the sheriff to furnish the necessary court attendants in the Superior Court and in the recorder's court of Martin County, and convey all prisoners to the place of their imprisonment in Martin County without extra compensation, but where it is necessary to bring prisoners on the train to the county jail, the board of commissioners shall pay the actual railroad fare of the deputy and prisoner. The sheriff shall pay over to the county treasurer all fees, mileage, and other allowances paid to him by the State of North Carolina, or by any State institution for performing any duty required of him by law.

SEC. 8. That the clerk of the Superior Court of Martin County shall receive a salary of not less than three thousand dollars (\$3,000), nor more than four thousand five hundred dollars (\$4,500) per annum, for his services and the services of assistants, deputies and clerks, and he shall be allowed nothing in addition thereto for performing the duties of his office.

SEC. 9. That the register of deeds of Martin County shall receive a salary of not less than two thousand five hundred dollars (\$2,500), nor more than three thousand five hundred dollars (\$3,500) per annum, as full compensation for his services and the services of assistants, deputies and clerks, and he shall be allowed nothing in addition thereto for performing the duties of his office. It shall be the duty of the register of deeds to make up the tax books of Martin County each year. The board of county commissioners may allow the register of deeds a sum not to exceed one thousand five hundred dollars (\$1,500) per annum for the payment of deputies or clerical help.

Salary of register.

To make up tax books.
Allowance for clerical help.

SEC. 10. That the board of county commissioners may require the officers herein named to give the bonds required by law for their respective offices in some solvent bonding or surety company, and said board may, in its discretion order the payment of the premiums on said bonds out of the general fund. Should the board of county commissioners decide to accept personal bonds from the officers herein named, said bonds, before being accepted, shall be approved by the board and the county attorney.

Official bonds.

Payment of premiums.
Personal bonds.

SEC. 11. That the salaries herein provided for shall be paid by the treasurer of said county out of the general fund, to all persons entitled to receive the same in monthly installments upon warrants drawn by the board of commissioners of said county and countersigned by the chairman and clerk of said board.

Payment of salaries.

SEC. 12. That the board of commissioners of the county of Martin to be elected in the county election of one thousand nine hundred and twenty-two shall, on the first Monday in December, one thousand nine hundred and twenty-two, decide whether or not this act shall apply to the officers of Martin County herein named. In the event of their decision to place said officers on salary in lieu of their present fees, a resolution to that effect shall be spread upon the minutes of the meeting of the board, and a fixed salary, within the limits of the amounts herein designated, shall be made, and said salary, when so fixed, shall not be changed during the term of office of any officer herein provided for. In the event the board of commissioners shall refuse to place said officers on salary as provided for in this act, then this act shall be null and void.

Decision by county commissioners.

Resolution accepting act.

Salary not changed during term.
Act void on refusal of commissioners.

SEC. 13. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 14. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE,
RALEIGH, January 6, 1922.

I, J. Bryan Grimes, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original acts and resolutions on file in this office.

J. BRYAN GRIMES,
Secretary of State.

INDEX TO PUBLIC-LOCAL LAWS

EXTRA SESSION, 1921

A

	PAGE
Alamance County, self-perpetuating school boards.....	209
Alexander County, game law, foxes.....	35
loan for road and bridge fund.....	126
Anson County, pay of sheriff as tax collector.....	248
Ashe County, appointment of board of education validated.....	121
expenditure of dog tax.....	139
road bonds validated.....	85
road law	122
finance committee	133
Aurora Graded School, charter amended.....	157
Avery County, public drunkenness.....	10
fees for capture of stills and operators.....	152
possession of weapons in liquor traffic.....	222
treasurer	150

B

Bailey Township Road District, interest on bonds.....	250
Barbecue Creek and Upper Little River, dumping sawdust in, forbidden.....	15
Beaufort County, disbursement of drainage taxes.....	157
game law	135
liability for drainage.....	45
Bennett Place, to erect marker at.....	143
Bertie County, bonds	158
bridge bonds	27
fees of sheriff.....	94
road laws	96
Bladen County, bonds.....	214
game law	210
Board of Education, Ashe County, appointments validated.....	121
Robeson County, power to borrow money.....	208
Bonds, Ashe County.....	85
Bertie County	158
Bertie County	27
Bladen County	214
Caldwell County	187
Carteret County	213
Caswell County	159
Clay County	238
Davie County	118
Duplin County, for jail.....	23
for railroads	22
Fork Township	50

Bonds—*continued*:

	PAGE
Forsyth County	127
Guilford County	170
Jones County, for notes.....	69
Jones County, for road notes.....	46
Lenoir County	27
McDowell, validated	94
Macon County, for road debt.....	34
Mecklenburg County	48
Mitchell County	76
Mitchell County	239
Montgomery County, courthouse and jail.....	30
roads	31
Nash County, law repealed.....	14
Northampton County	188
Northampton County	191
No. 6 Township, Cleveland County.....	97
Nutbush Township	25
Person County	48
Person County	102
township	52
Sampson County	74
Smithfield Township	88
Stanly County	173
Swain County	171
Townsville Township	71
Union County	16
Wake County	183
Watauga County	184
Wilkes County	214
Wilson County	20
Wilson County	58
Buncombe County, application of school law.....	84
automobiles for commissioners.....	146
salaries	151
game law	223
special tax	245

C

Cabarrus County, fees of sheriff.....	83
road laws	84
Caldwell County, bonds for county home.....	187
game law amended.....	248
Camden, Pasquotank, and Perquimans counties, use of road funds.....	115
Carteret County, bonds.....	213
possession of weapons in liquor traffic.....	222
special tax	246
Caswell County, bonds	159
game law, deer.....	216

	PAGE
Caswell County, road law.....	80
road laws	175
valuation of real estate.....	1
Catawba County, road law amended.....	241
salary of treasurer.....	249
Catawba River, fishing.....	20
Cedar Island and Hog Island, exempt from stock law.....	215
Charlotte and Sharon townships, special tax for.....	56
Chatham County, enforcement of prohibition.....	15
number of commissioners.....	31
tax for county home.....	245
Chatham and Lee counties, arrests.....	225
sale of wild turkeys.....	152
Cherokee County, pay of recorder.....	133
possession of weapons in liquor traffic.....	222
special tax	125
Chowan County, fees of clerk.....	36
fees of sheriff.....	114
road commissioners	51
sheriff on salary.....	55
Cities and towns:	
planning commissions	154
Wake County, planning commissions.....	249
Mount Airy, recorder's court.....	136
Clay County, bond law amended.....	238
possession of weapons in liquor traffic.....	222
Cleveland County, tax auditor.....	36
Columbus County, to borrow money for township road commission.....	73
number of commissioners.....	227
width of roads.....	226
Consolidated Statutes, amended:	
sec. 1564.....	133
sec. 2109, 2114	95
sec. 2116.....	33
sec. 2116.....	101
sec. 2117.....	100
sec. 3401.....	120
sec. 390S.....	182
sec. 5473.....	242
chapter 94.....	222
chapter 94, article 8.....	226
Coopers Township, road district abolished.....	168
Cotton weighers:	
Cumberland County	89
Fairmont cotton weigher.....	141
Counties:	
Alamance, self-perpetuating school boards.....	209
17—Public-Local	

Counties—*continued*:

	PAGE
Alexander, game laws, foxes.....	35
loan for road and bridge fund.....	126
Anson, pay of sheriff as tax collector.....	248
Ashe, appointment of board of education validated.....	121
expenditure of dog tax.....	139
finance committee	133
road bonds validated.....	85
road law	122
Avery, fees for capture of stills and operators.....	152
public drunkenness	10
treasurer	150
Beaufort, disbursement of drainage taxes.....	157
Beaufort, game law.....	135
liability for drainage.....	45
Bertie, bonds	158
bridge bonds	27
fees of sheriff.....	94
road law amended.....	96
Bladen, bonds	218
game law	210
Buncombe, application of school law.....	84
automobiles for commissioners.....	146
salaries	151
Burke, game law.....	223
special tax	245
Cabarrus, fees of sheriff.....	83
road laws	84
Caldwell, bonds, county home.....	187
game law amended.....	248
Camden, Pasquotank, and Perquimans, use of road funds.....	115
Carteret, bonds	213
special tax	246
Caswell, bonds	159
game laws, deer.....	216
road laws	175
road law	80
valuation of real estate.....	1
Catawba, road laws amended.....	241
salary of treasurer.....	247
Chatham, enforcement of prohibition.....	15
number of commissioners.....	31
tax for county home.....	245
Chatham and Lee, sale of wild turkeys.....	132
Cherokee, pay of recorder.....	133
special tax	125
Chowan, fees of clerk.....	36
fees of sheriff.....	114
road commission	51

Counties—*continued*:

PAGE

Chowan, sheriff on salary.....	55
Clay, bond law amended.....	238
Cleveland, tax auditor.....	36
Columbus, to borrow money for township road commissions.....	73
number of commissioners.....	227
width of roads.....	226
Cumberland, fees of justices.....	120
cotton weighers	89
fishing	142
motor vehicles	92
special tax, to correct error.....	57
Currituck, game law.....	153
salary of recorder.....	144
Dare, game laws, wild fowl.....	37
Davidson, protection of plats and maps.....	121
Davie, to fund floating debt.....	118
construction and maintenance of bridges.....	117
Duplin, bonds for jail.....	23
bond issues for railroads.....	22
highway commission law.....	9
Durham, marker at Bennett place.....	143
Durham, Carteret, Franklin, Cherokee, Clay, Macon, Graham, Avery, Rockingham, and Granville, possession of weapons in liquor traffic....	222
Franklin, salaries of officers.....	137
Forsyth, bonds	127
fees of justices.....	114
Sunday sales	236
Gaston, selling quail.....	177
Graham, road laws.....	186
sawdust in streams of.....	83
Granville, game laws.....	233
enforcement of criminal law.....	21
road law amended.....	66
Guilford, equalization of school advantages.....	41
to issue notes.....	79
Halifax, county home.....	246
game law	95
Harnett, county officers on fees.....	67
game law, deer.....	140
probate fees	110
Haywood, fees for serving process.....	147
hospital	211
road law	3
Henderson, relief of treasurer and tax collector.....	220
tax collector and treasurer.....	12
tax collector and treasurer (supplement).....	110
Hertford, bridge construction.....	174
road law amended.....	10

Counties—*continued*:

	PAGE
Hertford, salary of sheriff.....	107
to pay debt of Murfreesboro Township.....	81
Hyde, game law.....	119
Hyde and Washington, drainage law amended.....	226
Jackson, bear traps.....	92
game law	144
pay of commissioners.....	94
special tax	149
Johnston, building and repairing schoolhouses.....	169
county home	87
Jones, notes validated, bonds.....	46
notes validated	69
Lee, capture of distilleries.....	138
fees of clerk.....	250
fees of sheriff.....	147
Lee and Chatham, arrests.....	225
Lenoir, bonds and notes.....	27
Lincoln, reversion of property sold by.....	109
McDowell, courthouse bonds validated.....	95
Macon, bonds for road debt.....	34
road law amended.....	229
Madison, fees of sheriff.....	233
work on roads.....	112
Martin, salary of officers.....	251
Mecklenburg, bridge bonds ratified.....	51
loans in anticipation of tax.....	150
relief of clerk.....	151
road law amended.....	107
salary of treasurer.....	139
selling game	129
special tax for Sharon and Charlotte townships.....	56
Mitchell, road law and bonds.....	76
Mitchell, road law and bonds.....	239
Montgomery, bonds for roads.....	30
bonds, courthouse and jail.....	30
Moore, fees of justices.....	68
protection of roads.....	234
Nash, bond law repealed.....	14
fees for seizure of stills.....	120
recorder's court	172
road taxes	29
New Hanover, form for deeds of trust.....	178
reports of deaths, duties of coroner.....	237
Northampton, bonds	188
bonds and road law.....	191
salary of register.....	11
Onslow, fees of justices.....	93
stock law	215

Counties—*continued*:

	PAGE
Onslow, welfare and home and farm demonstration agencies.....	136
Pamlico, fees of justices.....	93
game laws	29
Pasquotank, highway commission law amended.....	33
recorders' and justices' courts.....	240
Pender, game law, wild turkeys.....	100
Person, custodian of road funds.....	100
depredations of fowls.....	102
road bonds	102
road bonds and maintenance.....	48
traffic officer	112
Polk, rural police.....	44
Polk and Rutherford, game law.....	101
Randolph, county home.....	45
Richmond, fishing	138
to refund floating debt.....	243
Richmond and Moore, pheasants protected.....	44
Robeson, deposit law amended.....	161
pay of deputy clerk.....	216
power of board of education to borrow money.....	208
power of commissioners as to game laws.....	15
recorder's court	141
road law	84
Indian schools	8
Rockingham, fees of register.....	111
fees of clerk.....	111
Rowan, pay of chairman of commissioners.....	68
Rutherford, protection of pheasants.....	79
road tax rate.....	56
Sampson, record of purchase of cartridges.....	235
road bonds	74
Scotland, road laws.....	42
Stanly, bonds validated.....	173
Stokes, accounts of road funds.....	216
special tax	236
Surry, loan for roads.....	143
Swain, chairman of commissioners.....	232
jail bonds	171
special tax	105
treasurer	116
Tyrrell, road commission to pay debt.....	168
Union, bonds	16
duties of register.....	1
pay of deputy sheriffs.....	86
Union and Harnett, fees of justices.....	221
Vance, fees for serving process.....	105
Wake, bonds	183

Counties—*continued*:

	PAGE
Wake, bond laws repealed.....	244
commission allowed sheriff.....	2
fees collected by sheriff.....	109
fees of deputy sheriffs.....	109
planning board act.....	249
railroad extension	207
road tax	241
seizure of stills and operators.....	131
unclaimed fees in hands of clerk.....	87
Watauga, bonds	184
dog tax to school fund.....	240
slot machines, billiard and pool rooms.....	82
Wayne, election of auditor.....	113
expenses of officers.....	209
road laws	198
Wilkes, bonds	214
road law amended.....	106
road law amended.....	121
Wilson, bonds	58
bonds	20
Yadkin, fees of justices.....	126
game law	129
County commissioners, Chatham County, number.....	31
Columbus County, number of.....	227
Jackson County, pay of.....	94
Rowan County, salary of chairman.....	98
Swain County, salary of chairman.....	232
County homes, Caldwell County, bonds for.....	187
Chatham County, tax for.....	245
Halifax County	246
Johnston County	87
Randolph County	45
Cumberland County, fees of justices.....	120
cotton weigher and grader.....	89
fishing	142
motor vehicles	93
special tax to correct error.....	57
Currituck Bay and Keels Creek, fish protected.....	146
Currituck County, game law.....	153
salary of recorder.....	144

D

Dare County, game laws, wild fowl.....	37
Davidson County, protection of plats and maps.....	122
Dave County, construction and maintenance of bridges.....	117
to fund floating debt.....	118
Deeds of trust, form for New Hanover County.....	178
Domestic fowls, Person County.....	102

	PAGE
Drainage, Reedy Fork and Horse Pen Creek.....	132
Drainage districts, collection of assessments.....	222
Hyde and Washington counties, commissions of treasurer.....	227
procedure for organization.....	177
Dry Wells Township, work of convicts.....	137
Duplin County, bond issues for railroads.....	22
bonds for jail.....	23
highway commission law.....	9
Durham County, possession of weapons in liquor traffic.....	222
marker at Bennett place.....	143

E

Enforcement of prohibition, Chatham County.....	15
-------------------------------------------------	----

F

Fairmont Township, cotton weigher.....	141
Fishing, Catawba River.....	20
Cumberland County	142
Ocona-Lufty River	134
Richmond County	138
Stony Run in Harnett County.....	243
Waccamaw River	116
Fork Township, bonds validated.....	50
Forsyth County, bonds.....	127
fees of justices.....	114
Sunday sales	237
Franklin County, possession of weapons in liquor traffic.....	222
salaries of officers.....	137

G

Game laws, Alexander County, foxes.....	35
Beaufort County	135
Bladen County	210
Burke County	223
Caldwell County, amended.....	248
Caswell County, deer.....	216
Chatham and Lee counties.....	132
Currituck County	153
Dare County	37
Gaston County	177
Granville County	233
Halifax County	95
Harnett County, deer.....	140
Hyde County	119
Jackson County, bear traps.....	92
Jackson County	144
Mecklenburg County	129
Pamlico County	33

Game laws— <i>continued</i> :	PAGE
Pender County, wild turkeys.....	100
Polk and Rutherford counties.....	101
Richmond and Moore counties.....	44
Robeson County, powers of commissioners.....	15
Rutherford County, pheasants.....	79
Wittenburg Township	35
warden	236
Yadkin County	129
Gaston County, selling quail.....	177
Graded Schools, Aurora, charter amended.....	157
Graham County, possession of weapons in liquor traffic.....	222
road laws	186
sawdust in streams of.....	83
Granville County, enforcement of criminal law.....	21
game laws	233
possession of weapons in liquor traffic.....	222
road law amended.....	66
Guilford County, equalization of school advantages.....	41
teachers, retirement fund abolished.....	51
to issue notes.....	79

H

Halifax County, county home.....	246
game law	95
Harnett County, game law, deer.....	140
officers on fee basis.....	67
Harnett County, probate fees.....	110
Harnett and Union counties, pay of justices.....	221
Haywood County, fees for serving process.....	147
hospital	211
road law	3
Henderson County, relief of treasurer and tax collector.....	220
tax collector and treasurer.....	12
tax collector and treasurer (supplement).....	110
Hertford County, bridge construction.....	174
road law amended.....	10
salary of sheriff.....	107
to pay debt of Murfreesboro Township.....	81
Hog Island and Cedar Island, exempt from stock law.....	215
Horse Pen Creek and Reedy Fork, drainage.....	132
Hospitals, Haywood County.....	211
Mecklenburg County, general.....	161
Number Six Township, Cleveland County.....	97
Hyde County, game law.....	119
Hyde and Washington counties, drainage law amended.....	227

I

Indian schools of Robeson County, relating to.....	5
----------------------------------------------------	---

J

PAGE

Jackson County, bear traps.....	93
pay of commissioners.....	94
game law	144
special tax	149
Johnston County, building and repairing schoolhouses.....	169
county home	87
Jones County, notes validated.....	69
notes validated, bonds.....	46
Justices of the peace, Cumberland County, fees of.....	120
Forsyth County, fees of.....	114
Moore County, fees.....	68
Onslow County, fees.....	93
Pamlico County, fees.....	93
Union and Harnett counties, fees.....	221
Yadkin County, fees.....	126

K

Keels Creek and Currituck Bay, fish protected.....	146
----------------------------------------------------	-----

L

Laws amended:

1883, ch. 320.....	132
1901, ch. 285, Public.....	139
1907, ch. 180, Public.....	240
1911, ch. 176, Public-Local.....	172
1913, ch. 1, Public-Local.....	117
1913, ch. 106, sec. 1.....	22
1913, ch. 122, Public	250
1913, ch. 226, Public-Local.....	144
1913, ch. 435, Public-Local.....	249
1913, ch. 518, Public-Local.....	84
1913, ch. 692, Public-Local.....	136
1913, ch. 803, sec. 1, Public-Local.....	109
1915, ch. 126, Public-Local.....	33
1915, ch. 345, Public-Local.....	106
1915, ch. 594, Public-Local.....	11
1917, ch. 46, Public-Local.....	161
1917, ch. 505, Public-Local.....	107
1919, ch. 77, sec. 7, and ch. 116, Public.....	139
1919, ch. 86, Public-Local.....	45
1919, ch. 320, Public-Local.....	237
1919, ch. 328, Public-Local, and ch. 120, Public-Local Laws of 1920.....	96
1919, ch. 457, Public-Local.....	157
1919, ch. 496, Public-Local, to amend supplement.....	29
1919, ch. 551, Public-Local.....	221
1919, ch. 576, Public-Local.....	111
1919, ch. 586, Public-Local.....	15
1919, ch. 730, Public-Local.....	241
1920, ch. 7, sec. 1, Public-Local.....	112

Laws amended—*continued*:

	PAGE
1920, ch. 53, Public-Local.....	48
1920, ch. 103, Public-Local.....	45
1920, ch. 120, Public-Local, and ch. 328, Public-Local Laws of 1919.....	96
1920, ch. 149, Public-Local.....	209
1921, chapters 7 and 420, Public-Local.....	141
1921, ch. 38, sec. 101, Public.....	2
1921, ch. 38, Public-Local, and ch. 467, Public-Local Laws of 1919.....	123
1921, ch. 38, Public.....	1
1921, ch. 50, Public.....	214
1921, ch. 50, Public.....	215
1921, ch. 58, Public-Local.....	133
1921, ch. 107, Public-Local.....	138
1921, ch. 113, Public.....	68
1921, ch. 113, Public.....	93
1921, ch. 113, Public-Local.....	93
1921, ch. 123, Public-Local.....	152
1921, ch. 128, Public-Local.....	238
1921, ch. 131, Public-Local.....	41
1921, ch. 137, Public-Local.....	44
1921, ch. 142, Public-Local.....	233
1921, ch. 163, Public-Local.....	56
1921, ch. 170, sec. 9, Public-Local.....	129
1921, ch. 174, sec. 2, Public-Local.....	35
1921, ch. 184, Private, and ch. 426, Public-Local.....	8
1921, ch. 185, Public-Local.....	243
1921, ch. 192, Public-Local.....	20
1921, ch. 197, Public-Local.....	227
1921, ch. 227, Public-Local.....	109
1921, ch. 248, Public-Local.....	31
1921, ch. 262, Public-Local.....	186
1921, ch. 266, Public-Local.....	153
1921, ch. 308, Public-Local.....	80
1921, ch. 323, Public-Local.....	34
1921, ch. 323, Public-Local.....	229
1921, ch. 326, Public-Local.....	76
1921, ch. 326, Public-Local.....	239
1921, ch. 347, Public-Local.....	10
1921, ch. 356, Public-Local.....	207
1921, ch. 383, Public-Local.....	107
1921, ch. 409, Public-Local.....	112
1921, ch. 447, Public-Local.....	9
1921, ch. 467, Public-Local.....	211
1921, ch. 502, Public-Local.....	116
1921, ch. 513, Public-Local.....	140
1921, ch. 527, Public-Local.....	101
1921, ch. 528, Public-Local.....	121
1921, ch. 555, Public-Local.....	84
1921, ch. 563, Public-Local.....	151

Laws amended— <i>continued</i> :	PAGE
1921, ch. 563, Public-Local.....	146
1921, ch. 575, Public-Local.....	73
1921, ch. 575, Public-Local.....	227
1921, ch. 577, Public-Local.....	100
1921, ch. 578, sec. 2, Public-Local	83
1921, ch. 578, Public-Local.....	94
1921, ch. 578, sec. (f.), Public-Local	108
1921, ch. 578, Public-Local.....	114
1921, ch. 578, Public-Local.....	234
Laws reënacted:	
1917, ch. 414, Public-Local.....	129
Laws repealed:	
1903, ch. 569, Public	185
1907, ch. 201, sec. 21, Public.....	84
1917, ch. 419, Public-Local.....	40
1917, ch. 529, Public-Local.....	93
1919, ch. 607, Public-Local.....	110
1920, ch. 33, Public	107
1920, ch. 84, Public-Local.....	14
1921, ch. 197, Public-Local.....	227
1921, ch. 258, Public-Local.....	129
1921, ch. 558, Public-Local.....	14
Lee County, capture of distilleries.....	138
fees of clerk.....	250
fees of sheriff	147
Lee and Chatham counties, arrests.....	225
sale of wild turkeys.....	132
Lenoir County, bonds and notes.....	27
Lincoln County, reversion of property sold by.....	109

M

McDowell County, courthouse bonds validated.....	94
Machinery Act amended.....	1
Macon County, bonds for road debt.....	34
possession of weapons in liquor traffic.....	222
road law amended.....	229
Madison County, fees of sheriff.....	233
work on roads.....	112
Martin County, salary of officers.....	251
Mecklenburg County, bridge bonds ratified.....	50
Mecklenburg County General Hospital, establishment.....	161
relief of clerk.....	151
road law amended.....	107
salary of treasurer.....	139
selling game	129
loans in anticipation of tax.....	151
Mitchell County, road law and bonds.....	239
roads and bonds.....	76

	PAGE
Montgomery County, bonds, courthouse and jail.....	30
bonds for roads.....	31
Moore County, fees of justices.....	68
protection of roads.....	234
Moore and Richmond counties, pheasants protected.....	44
Morven Township, road law repealed.....	185
Motor vehicles, Cumberland County.....	92
Mount Airy, recorder's court.....	136
Murfreesboro Township, Hertford County to pay debt of.....	81
Murphy Township, audit of accounts of highway commission.....	228

N

Nash County, bond law repealed.....	14
fees for seizure of stills.....	120
recorder's court	172
road taxes	29
New Hanover County, form for deeds of trust.....	178
reports of deaths, duties of coroner.....	237
Northampton County, bonds.....	188
road law	191
salary of register.....	11
Number Eight Township, Craven County, powers of constable.....	140
Number Six Township, Cleveland County, hospital and bonds.....	97
Nutbush Township, bonds.....	25

O

Ocona-Lufty River, protection of fish.....	134
Ouslow County, fees of justices.....	93
stock law	215
welfare and home and farm demonstration agencies.....	136

P

Pamlico County, fees of justices.....	93
game law	33
Pasquotank County, highway commission law amended.....	33
recorders' and justices' courts.....	240
Pasquotank, Perquimans and Camden counties, use of road fund.....	115
Pender County, game law, wild turkeys.....	100
Perquimans, Camden, and Pasquotank counties, use of road fund.....	115
Person County, custodian of road funds.....	101
depredations of domestic fowls.....	102
road bonds	102
road bonds and maintenance.....	48
traffic officer	112
Pheasants protected, Richmond and Moore counties.....	44
protection of, Rutherford County.....	79
Pistol cartridges, record of purchasers.....	235
Planning commissions	154
Planning board act extended to Wake County.....	249
Plats and maps, Davidson County, protection of.....	122

	PAGE
Polk County, rural police.....	44
Polk and Rutherford counties, game law.....	101
Prohibition enforcement, Chatham County.....	15
Public drunkenness, Avery County.....	10

R

Raleigh Township, bonds.....	52
Randolph County, county home.....	45
Recorders' courts, Cherokee County, pay of recorder.....	133
Currituck County, salary of recorder.....	144
Mount Airy	136
Nash County	172
Robeson County	141
Reedy Fork and Horse Pen Creek, drainage.....	132
Richardson's Creek, law for clearing, repealed.....	93
Richmond County, fishing.....	138
to refund floating debt.....	243
Richmond and Moore counties, pheasants protected.....	44
Rivers and creeks:	
Catawba River, fishing.....	20
Ocona-Lufty River, protection of fish.....	134
Reedy Fork and Horse Pen Creek, drainage.....	132
Richardson's Creek, law for clearing, repealed.....	93
Rockfish Creek, obstructions.....	153
Stony Run in Harnett County, fishing.....	243
Upper Little River and Barbecue Creek, dumping sawdust in, forbidden	15
Waccamaw River, fishing in Columbus and Brunswick counties.....	116
Road districts, Bailey Township, interest on bonds.....	250
Road laws:	
Ashe County	123
Bertie County	96
Cabarrus County	84
Caswell County	80
Caswell County	175
Catawba County	241
Chowan County	51
Columbus County	73
Duplin County, highway commission.....	9
Granville County	66
Graham County	186
Haywood County	3
Hertford County, amended.....	10
Macon County	229
Madison County	112
Mecklenburg County	107
Mitchell County	76
Moore County	234

Road laws— <i>continued</i> :	PAGE
Morven Township, repealed.....	185
Northampton County	191
Pasquotank County, highway commission.....	33
Robeson County	84
Scotland County	42
Wayne County	198
Wilkes County	106
Wilkes County	121
Robeson County, deposit law amended.....	161✓
power of board of education.....	208✓
power of commissioners as to game laws.....	15-
pay of deputy clerk.....	216-
recorders' courts	141-
road law	84✓
Indian schools	8
Rock Fish Creek, obstructions.....	153
Rockingham County, fees of register.....	111
fees of clerk.....	111
possession of weapons in liquor traffic.....	222
Rowan County, salary of chairman of commissioners.....	68
Rutherford County, protection of pheasants.....	79
road tax rate.....	56
Rutherford and Polk counties, game law.....	101

S

Salaries and fees:

Anson County, sheriff for collecting taxes.....	248
Bertie County, fees of sheriff.....	94
Buncombe County	151
Cabarrus County, sheriff.....	83
Catawba County, treasurer.....	249
Cherokee County, recorder.....	133
Chowan County, sheriff	55
fees of clerk.....	36
fees of sheriff	115
Currituck County, recorder.....	144
Franklin County, county officers.....	137
Harnett County, county officers.....	67
Haywood County, for serving process.....	147
Hertford County, sheriff.....	107
Lee County, fees of clerk.....	250
sheriff	146
Madison County, sheriff.....	233
Martin County, county officers.....	251
Mecklenburg County, treasurer.....	139
Moore County, justices.....	68
Northampton County, register of deeds.....	11
Robeson County, deputy clerk.....	216

Salaries and fees— <i>continued</i> :	PAGE
Rockingham County, fees of register.....	111
fees of clerk.....	111
Rowan County, chairman of commissioners.....	68
Swain County, chairman of commissioners.....	232
Union County, pay of deputy sheriffs.....	86
Union and Harnett counties, justices.....	221
Vance County, fees for serving process.....	105
Wake County, commissions allowed sheriff.....	2
Wake County, deputy sheriffs.....	109
fees collected by sheriffs.....	109
Yadkin County, justices.....	126
Sampson County, record of purchasers of cartridges.....	235
road bonds	74
School districts, redistricting.....	242
Alamance County, self-perpetuating school boards.....	209
Schools and colleges:	
Indian schools of Robeson County, relating to.....	8
Scotland County, road law.....	42
Sharon and Charlotte townships, special tax for.....	56
Smithfield Township, bonds validated.....	88
Special tax:	
Burke County	275
Cherokee County	125
Carteret County	246
Cumberland County	57
Jackson County	149
Sharon and Charlotte townships.....	56
Stokes County	236
Swain County	105
Stanly County, bonds validated.....	173
Stock law, Hog Island and Cedar Island, exempt.....	215
Onslow County	215
Stokes County, accounts of road funds.....	216
special tax	236
Stony Run in Harnett County, fishing.....	243
Straits Township, wharf law repealed.....	14
Sunday sales, Forsyth County.....	237
Surry County, loan for roads.....	143
Swain County, chairman of commissioners.....	232
jail bonds	171
special tax	105
treasurer	116

T

Teachers' Retirement Fund of Guilford County, to be settled.....	51
Telephone exchanges, collection of charges.....	72
Townsville Township, bonds validated.....	71

Townships :	PAGE
Bailey, interest on bonds.....	250
Coopers, road district abolished.....	168
Dry Wells, work of convicts.....	137
Fairmont, cotton weigher.....	141
Fork, bonds validated.....	50
Morven, road law repealed.....	185
Murfreesboro, county to pay debt of.....	81
Murphy, audit of accounts of highway commission.....	228
Number Six, Cleveland County, hospital and bonds.....	97
Number Eight, Craven County, powers of constable.....	141
Nutbush, bonds	25
Raleigh, bonds	52
Sharon and Charlotte townships, special tax for.....	56
Smithfield Township, bonds validated.....	88
Straits, wharf law repealed.....	14
Townsville, bonds validated.....	71
Wittenburg, game laws.....	35
game warden	236
Tyrrell County Road Commission, to pay debt.....	168

U

Union County, bonds.....	17
duty of register.....	1
pay of deputy sheriffs.....	86
Union and Harnett counties, pay of justices.....	221
Upper Little River and Barbecue Creek, dumping sawdust in, forbidden.....	15

V

Vance County, fees for serving process.....	105
---------------------------------------------	-----

W

Waccamaw River, fishing in Columbus and Brunswick counties.....	116
Wake County, bond laws repealed.....	244
bonds	183
commissions allowed sheriff.....	2
fees collected by sheriff.....	109
fees of deputy sheriffs.....	109
planning board act.....	249
railroad extension	207
road tax	241
seizure of stills and operators.....	131
unclaimed fees in hands of clerk.....	87
Washington and Hyde counties, drainage law amended.....	226
Watauga County, bonds.....	184
dog tax to school fund.....	240
slot machines and poolrooms.....	82

	PAGE
Wayne County, election of auditor.....	113
expenses of officers.....	209
highway commission	198
Wilkes County, bonds.....	214
road law amended.....	121
road law amended.....	106
Wilson County, bonds.....	58
bonds	20
Wittenburg Township, game laws.....	35
game warden	236

Y

Yadkin County, fees of justices.....	126
game law	129

STATE OF NORTH CAROLINA

PRIVATE LAWS

ENACTED BY THE

GENERAL ASSEMBLY

AT ITS

EXTRA SESSION OF 1921

BEGUN AND HELD IN THE CITY OF RALEIGH

ON

TUESDAY, THE SIXTH DAY OF DECEMBER, A.D. 1921

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CAPTIONS OF THE PRIVATE LAWS

EXTRA SESSION, 1921

CHAP.		PAGE
1.	An act to amend chapter 357 of the Private Laws of 1909, ratified 8th day of March, 1909, amending the charter of North Carolina College, Mount Pleasant, North Carolina.....	1
2.	An act to amend chapter 58, Private Acts of 1891, ratified 14th day of February, 1891, relative to the act incorporating Mount Amøna Female Seminary	3
3.	An act to amend chapter 307, Private Laws of 1905, ratified March 4, 1905, amending charter of Lenoir College at Hickory, Catawba County, North Carolina.....	4
4.	An act to amend chapter 1 of the Private Laws of the session of 1917, relating to the collection of taxes in the city of Wilmington, North Carolina	6
5.	An act to fix and define the corporate limits of the city of Wilmington, North Carolina	6
6.	An act to amend chapter 34, Private Laws of 1913, and to authorize the board of trustees of Red Springs Graded School District to levy an increased special tax.....	8
7.	An act authorizing the board of commissioners of the town of Ellerbe in Richmond County to issue bonds for the building of streets and sidewalks	11
8.	An act to amend the charter of the town of Ellerbe in Richmond County, North Carolina.....	12
9.	An act to authorize the town of Marion to issue bonds to improve its streets	12
10.	An act authorizing the city of Rocky Mount to issue funding bonds....	13
11.	An act to incorporate the town of Builevel in Harnett County, North Carolina	15
12.	An act to ratify and validate proceedings of the town of Chadbourn for the issuance of certain bonds of said town and to authorize a tax for the payment thereof.....	16
13.	An act to amend the charter of the city of Hendersonville, in Henderson County	16
14.	An act to validate a bond issue of the city of Kinston.....	17
15.	An act to authorize the town of Sanford to pave and improve its streets, assess cost on abutting property, and issue bonds therefor....	18
16.	An act to amend the charter of the town of Winton, Hertford County..	25
17.	An act to validate a bond issue of Bailey White School District Number 2, in Nash County.....	35
18.	An act to extend the corporate limits of the town of Rutherford College in Burke County.....	36
19.	An act to authorize the city of Goldsboro to issue bonds for necessary expenses	37

CHAP.	PAGE
20. An act to validate a bond issue of Bessemer City Graded School District in Gaston County.....	37
21. An act to extend the corporate limits of the town of Hassell, Martin County	38
22. An act to validate a bond issue of the town of East Spencer in Rowan County	39
23. An act to validate an election held in Ellenboro School District No. 6-1, in Rutherford County, to authorize an issue of bonds.....	40
24. An act to ratify bonds of the city of Charlotte.....	40
25. An act to validate an election held in Spindale School District Number 1-6, in Rutherford County, on the 15th day of October, 1921, to authorize an issue of schoolhouse bonds.....	41
26. An act to validate a special school-tax election held on the 12th day of November, 1921, in Oakland Consolidated School District in Rutherford County	41
27. An act to validate a bond issue of the board of trustees of Henderson Graded Schools in Vance County.....	43
28. An act relating to local improvements in the town of Waynesville.....	44
29. An act to provide for the extension of the corporate limits of the city of High Point.....	49
30. An act to amend chapter 91 of the Private Laws of North Carolina, session of 1901, so as to authorize an election for increasing the tax rate for Henderson Graded School District.....	51
31. An act relating to street improvements in the town of Ayden.....	52
32. An act to validate bond issues of school districts in Bladen County.....	54
33. An act to validate Murfreesboro School District bonds.....	55
34. An act to authorize issuance of school bonds by city of Thomasville....	56
35. An act to authorize the Rockingham Graded School District for white and colored children, Richmond County, to issue bonds and to provide for the payment thereof.....	57
36. An act to authorize the Sanford Graded School District to issue bonds to build schoolhouses.....	59
37. An act to amend the charter of the city of Winston-Salem, North Carolina	62
38. An act to authorize Greenville Graded School District, Pitt County, to issue bonds and to provide for the payment thereof.....	63
39. An act to validate an election held in Biscoe Graded School District and to authorize the issue of bonds thereunder.....	65
40. An act to amend chapter 138, Private Laws of 1921, the same being an act relating to Tarboro school board bonds.....	66
41. An act to validate certain bonds of the town of Kings Mountain.....	67
42. An act to amend section 1, chapter V of chapter 136 of the Public Laws of 1917, relating to the operation of a rock quarry by the city of Durham.....	68
43. An act to amend chapter 119, Private Laws, extra session 1913, and to authorize the issue of bonds and special tax for certain improvements for the town of Bakersville, Mitchell County.....	68

CHAP.	PAGE
44. An act to authorize an increase in the rate of taxation for school purposes in Asheboro Graded School District.....	70
45. An act to amend chapter 341, Private Laws of 1915, pertaining to license taxes in Elizabeth City.....	71
46. An act to amend chapter 516 of the Private Laws of 1907, relating to the corporate limits of Cerro Gordo, Columbus County.....	73
47. An act amending the game laws for Lincoln County.....	73
48. An act to increase the school committee of Wallace School District, Duplin County	74
49. An act to authorize the city of Charlotte to condemn land for school purposes	74
50. An act authorizing the town of Lincolnton to sell real estate belonging to said town.....	75
51. An act providing for the acquisition of a street railway system by the city of Goldsboro, and providing for an election on the question of such acquisition	75
52. An act authorizing the commissioners of the town of Youngsville, North Carolina, to sell a certain bond issue of said town known as "Youngsville electric light bond issue," for less than par.....	76
53. An act to authorize and direct an election to be held in Boomer Local School-tax District, Number 1, Wilkes County, upon the question of repeal of special school tax.....	77
54. An act to validate a bond issue of the Fremont Graded School District in Wayne County.....	78
55. An act authorizing Elm City in Wilson County to issue bonds.....	79
56. An act to authorize the issue of bonds and the levy of a special tax for the town of Siler City, Chatham County, to provide water works and sewerage	80
57. An act authorizing the town of Stantonsburg, in Wilson County, to issue bonds	83
58. An act to amend chapter 74, Private Laws of 1901, in regard to the town of East Spencer.....	84
59. An act to empower the town of Louisburg to convey an abandoned street	84
60. An act relating to a bond issue of Guilford County for a county tuberculosis hospital	85
61. An act relating to street improvements in the town of Rockingham.....	86
62. An act to revoke the charter of the Saints' Ark and to provide for the return of its property to the donors thereof.....	87
63. An act to provide for the extension of the corporate limits of the city of Leaksville.....	89
64. An act to revise, consolidate and amend the charter of the town of Pinetops, Edgecombe County, North Carolina.....	90
65. An act to amend the charter of the town of Hope Mills in Cumberland County	95
66. An act to authorize the town of Tryon to issue bonds for the improvement of streets and sidewalks, and to improve and extend the sewerage system	95

CHAP.	PAGE
67. An act to validate the floating debt and bond issue of the town of Morehead City, North Carolina.....	98
68. An act to prohibit public drunkenness on the Southern Assembly property	100
69. An act to authorize the board of commissioners of the city of Wilmington to expend funds derived from the sale of certain bonds of said city	100
70. An act to ratify advancements made by Goldsboro to the Goldsboro Electric Railway Company.....	101
71. An act amending chapter 38, Private Laws, extra session 1920, making the office of city solicitor of the city of Asheville elective by a vote of the people	101
72. An act conferring the jurisdiction of a magistrate upon the recorder of the town of Roanoke Rapids, Halifax County, North Carolina.....	102
73. An act to change the boundaries of the city of Wilmington, North Carolina	102
74. An act validating the appointment of a school advisory board of the board of commissioners of the city of Asheville.....	103
75. An act to authorize the appointment of a special police officer for Public School District No. 19, Wanchese, Dare County.....	104
76. An act to authorize the board of cemetery commissioners of the town of Dunn to remove certain bodies buried in Greenwood Cemetery	105
77. An act to repeal chapter 83 of the Private Laws 1919, incorporating the town of Burnsville.....	106
78. An act to fix the corporate limits of the town of Hayesville, Clay County	106
79. An act to authorize the board of commissioners of the town of Williamston, North Carolina, to use the money derived from the sale of street improvement bonds for other purposes.....	107
80. An act to amend section 1 of chapter 86 of the Private Laws of 1919, and change the boundary of the city of New Bern.....	108
81. An act to enable the city of Burlington to raise and appropriate money for school purposes.....	108
82. An act to validate school bonds of the town of Lincolnton.....	109
83. An act to authorize the Mooresville Graded School District to issue bonds	109
84. An act to repeal section 7 of chapter 431 of the Public-Local Laws of 1921, and to reenact chapter 16 of the Private Laws of the extra session of 1920.....	110
85. An act relating to local improvements in the town of Hazelwood, Haywood County	111
86. An act to permit the commissioners of Hillsboro to convey a certain lot of land to the Hillsboro Library Association.....	116
87. An act to repeal chapter 218 of the Private Laws of 1921, relating to the town of Roseboro, Sampson County, North Carolina.....	117

CHAP.	PAGE
88. An act to ratify and to validate certain proceedings of the town of Cherryville for the making of local improvements and the levying of assessments therefor.....	117
89. An act to give the assent of the General Assembly of North Carolina for the sale and conveyance of a small tract of its real estate by the Charlotte Park and Recreation Commission.....	118
90. An act to impose a license tax upon dealers in second-hand clothing in Elizabeth City.....	120
91. An act to amend chapter 104 of the Private Laws of 1913, and chapter 8 of the Private Laws of 1917, same being the charter of the town of Morganton.....	121
92. An act extending the corporate limits of the town of Southern Pines....	122
93. An act providing for the issuance of bonds of Saluda School District in Polk County in exchange for an existing school building.....	123
94. An act to reenact an act to authorize the board of graded school trustees of Granite Falls to issue bonds and to validate and ratify an issue of \$75,000 bonds of Granite Falls School District, and the acts and proceedings authorizing said bonds, and to provide for the levy of taxes to pay said bonds.....	124
95. An act to authorize the board of graded school trustees of the town of Chapel Hill to issue bonds and levy a tax for the purpose of buying land to enlarge the school site, constructing and equipping additions to the present school building, and constructing and equipping a building for physical education; and amending section 2 of chapter 2, Private Laws of 1909.....	126
96. An act to amend chapter 10, Private Laws of North Carolina, extra session of 1920.....	129
97. An act to incorporate the Children's Home of Union County, and to provide for same.....	130
98. An act relating to a bond issue of the city of High Point for a municipal building.....	98
99. An act to validate \$20,000 bonds, for public improvement of the town of Franklin, issued April 1, 1921, under chapter 189 of the Private Laws of 1915, and to authorize the town of Franklin to issue bonds for a municipal building, and for other purposes.....	132
100. An act to authorize the board of trustees of Biscoe Graded School District to borrow money in anticipation of the sale of bonds, and issue notes therefor.....	134
101. An act to amend chapter 338, Private Laws of 1893, relating to Supreme Lodge, Knights of Harmony.....	135
102. An act to ratify and validate bonds of the consolidated school of Candor, Montgomery County.....	135
103. An act to authorize the town of Clinton to issue and sell bonds to pay off its floating debt and provide against deficit in its general fund....	136
104. An act authorizing the town of Bailey, in Nash County, to issue bonds for electric light system.....	137
105. An act to amend chapter 68, Private Laws of 1903, relating to the board of trustees of Swan Quarter School District, Hyde County.....	138

CHAP.	PAGE
106. An act to amend the charter of the town of Andrews, chapter 135, private Laws of 1905.....	139
107. An act to establish Love Memorial Graded School District in Lincolnton Township, Lincoln County.....	140
108. An act to validate an election held in Four Oaks School District and to authorize the issue of bonds thereunder.....	143
109. An act to amend article 21, part 1, chapter 84, of the Consolidated Statutes of North Carolina, and chapter 349, Private Laws of North Carolina of 1913, relating to charter of North Carolina Agricultural Society	144
110. An act to validate an election held in Gilkey Consolidated School District in Rutherford County on the 12th day of November, 1921....	145
111. An act to validate, ratify, and approve an issue of \$30,000 of bonds by the town of Andrews, Cherokee County, for paying for and fencing watershed of said town.....	146
112. An act to authorize and direct the mayor and board of aldermen of the town of Murphy to issue bonds for the purpose of providing a fund sufficient to pay off the outstanding indebtedness of said town, and to grade and improve certain streets in said town.....	148
113. An act to amend the charter of the city of Hendersonville.....	150
114. An act to amend chapter 300 of the Private Laws of North Carolina, session 1915, relating to the election and installation of the officers of the city of Salisbury.....	158
115. An act to validate election held in Sladesville High School District, Hyde County, on the question of issuing high school bonds.....	158
116. An act to amend the charter of the town of Carrboro, North Carolina..	159
117. An act to amend chapter 344, Private Laws of North Carolina, session of 1907, relating to the charter of the city of Concord.....	160
118. An act to authorize the appointment of a special police officer for Public School District No. 19, Wanchese, Dare County.....	160
119. An act to amend the charter of the town of Trinity, North Carolina....	161
120. An act relating to bonds of the town of Littleton, North Carolina.....	162
121. An act relating to the town of Murphy in Cherokee County, North Carolina	163
122. An act to amend chapter 647 of the Public-Local Laws of 1911, and chapter 304 of the Public-Local Laws of 1913, relative to the recorder's court of Thomasville.....	163
123. An act to amend chapter 382, Public Laws, session 1903, relative to Fayetteville Graded Schools.....	165
124. An act regulating discounts and penalties on taxes in the town of Waynesville, Haywood County.....	165
125. An act to permit the board of commissioners of the town of Roxboro to impose a penalty for failure to pay town taxes and to allow discounts	166
126. An act to repeal chapter 216 of the Private Laws of 1921, relative to police pension fund in the city of Wilmington, North Carolina.....	167
127. An act requiring the governing board or board of commissioners of the town of Murphy to audit the books and accounts of said town....	167

CHAP.	PAGE
128. An act to authorize the board of aldermen of the city of New Bern to open, and, if necessary, to condemn land, in said city, for the use of a railroad sidetrack.....	168
129. An act to authorize and empower the town of Hot Springs to transfer real estate belonging to said town, known as Watershed Tract.....	169
130. An act conferring certain powers upon the city of Greensboro.....	170
131. An act to improve the streets in the town of Bakersville.....	172
132. An act to authorize the board of commissioners of the town of Mocksville, in Davie County, to issue bonds of said town to fund a floating indebtedness.....	172
133. An act to validate school bonds in the town of Mount Airy, North Carolina	174
134. An act to validate the issuance and sale of certain school bonds for Benson Graded High School District, Number 1, of Banner Township, Johnston County, North Carolina.....	174
135. An act to repeal chapter 57 of the Private Laws of 1920, relating to the town of Waynesville.....	175
136. An act to amend chapter 409 of the Public Laws of North Carolina of 1899, entitled "An act to establish graded schools in the town of Washington"	175
137. An act to validate school bonds of West Hickory.....	178
138. An act to authorize the town of Hazelwood to levy and collect taxes....	179
139. An act validating the proceedings and acts of the county board of education of Johnston County, the board of county commissioners of said county, and the board of trustees of Benson Graded School District Number 1, in Banner Township, in said county, relating to the issuance and sale of bonds of said school district in the sum of \$20,000, and authorizing and empowering said board of trustees to issue said bonds.....	179
140. An act to amend chapter 113 of the Private Laws of 1909, relating to the charter of the town of Greenville.....	180
141. An act to authorize Washington Public School District to issue school bonds	181
142. An act to amend the charter of the Fayetteville Graded Schools.....	184
143. An act to amend chapter 138 of the Laws of 1901, incorporating the trustees of Lincoln Hospital.....	185
144. An act to authorize the town of North Wilkesboro to issue bonds to fund its graded school debt.....	187
145. An act concerning the establishing of high school districts in Alamance County, North Carolina.....	190
146. An act to amend the charter of the town of Hot Springs, Madison County, North Carolina, authorizing the town to sell its real estate....	192
147. An act to authorize the Aycock Graded School District of Washington County to issue bonds for the purpose of erecting a building for public schools.....	193
148. An act to validate certain bond issues aggregating \$500,000 of the city of Wilmington and the sale thereof.....	195

CHAP.	PAGE
149. An act to validate an election held in Mocksville School District and bonds voted for by the citizens of said district at an election held therein on the 6th day of September, 1921.....	196
150. An act to authorize Belhaven Graded School of Belhaven, North Carolina, to issue bonds for the purpose of building a high school, teacherage, and to purchase equipment therefor.....	197

PRIVATE LAWS

OF THE

STATE OF NORTH CAROLINA

EXTRA SESSION 1921

CHAPTER 1

AN ACT TO AMEND CHAPTER 357 OF THE PRIVATE LAWS OF 1909, RATIFIED 8TH DAY OF MARCH, 1909, AMENDING THE CHARTER OF NORTH CAROLINA COLLEGE, MOUNT PLEASANT, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the act revising the charter of the trustees of North Carolina College, ratified eighth day of March, one thousand nine hundred and nine, chapter three hundred and fifty-seven, Private Laws of one thousand nine hundred and nine, be amended by striking out all of section two of said act and inserting in lieu thereof the following:

"SECTION 1. That it shall be the duty of the United Evangelical Lutheran Synod of North Carolina to nominate and elect a board of trustees for educational institutions at its annual convention in November, one thousand nine hundred and twenty-two, twenty-one members in groups of seven, for one, two, and three years respectively, and thereafter seven members annually, and such others as may be required to fill vacancies, who, together with the president of Synod and the president of the college, who are hereby made *ex officio* advisory members without a vote, shall constitute the board of trustees of this corporation. That the board of trustees of North Carolina College shall always be composed of the same individuals as those of the board of trustees for educational institutions of the United Evangelical Lutheran Synod of North Carolina, and that the board of trustees for educational institutions of the United Evangelical Lutheran Synod of North Carolina is hereby authorized and empowered to act for and in behalf of the board of trustees of North Carolina College. Any vacancies occurring among said trustees by death, resignation or otherwise, or by failure of election by said Synod, shall be filled by the said board of trustees, and such persons so elected shall only hold office until the following meeting of Synod subsequent to their election."

Act amended.

Election of trustees for educational institutions.

Number.

Terms of office.

Advisory members.

Trustees of North Carolina College.

Elections to fill vacancies.

Meetings of trustees.

SEC. 2. That said act revising the charter of the trustees of North Carolina College, ratified eighth day of March, one thousand nine hundred and nine, chapter three hundred and fifty-seven, Private Laws of one thousand nine hundred and nine, be amended by striking out the word "shall" in line one of section four of said act, and the word "may" substituted in lieu thereof.

Transfer of property.

SEC. 3. That section five of said act, ratified March eighth, one thousand nine hundred and nine, chapter three hundred and fifty-seven, Private Laws of one thousand nine hundred and nine, be amended by striking out the words in line three from top of page seven hundred and ninety-four "Evangelical Lutheran Synod and Ministerium of North Carolina," and substituting therefor the words "The United Evangelical Lutheran Synod of North Carolina."

Location of school.

SEC. 4. That section six of said act, ratified March eighth, one thousand nine hundred and nine, chapter three hundred and fifty-seven, Private Laws of one thousand nine hundred and nine, be amended by inserting in line four of said section after the words "North Carolina" and before the words "a school," the following words: "Or at such other place or places as may be hereafter designated by the United Evangelical Lutheran Synod of North Carolina."

Loans and donations.

SEC. 5. That section eight of said act, ratified March eighth, one thousand nine hundred and nine, chapter three hundred and fifty-seven, Private Laws of one thousand nine hundred and nine, be amended by striking out the words "Evangelical Lutheran Synod and Ministerium of North Carolina," in lines one and two of said section, and insert in lieu thereof the words "United Evangelical Lutheran Synod of North Carolina."

Location of college.

SEC. 6. That section nine of said act, ratified March eighth, one thousand nine hundred and nine, chapter three hundred and fifty-seven, Private Laws of one thousand nine hundred and nine, be amended by inserting at the end of said section after the words "North Carolina," the words: "Or at such other place or places as may be hereafter designated by the United Evangelical Lutheran Synod of North Carolina."

Power to hold property.

SEC. 7. That said act, ratified March eighth, one thousand nine hundred and nine, chapter three hundred and fifty-seven, Private Laws of one thousand nine hundred and nine, be amended by inserting between sections nine and ten the following section, to be known as section nine (a):

"SEC. 9. (a). That said corporation shall have the privilege of holding property for the carrying out of the purpose of its creation, not exceeding in value five million dollars."

Repealing clause.

SEC. 8. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 9. That this amendatory act shall be in force and effect from and after its ratification.

Ratified this the 8th day of December, A.D. 1921.

CHAPTER 2

AN ACT TO AMEND CHAPTER 58, PRIVATE ACTS OF 1891,
RATIFIED 14TH DAY OF FEBRUARY, 1891, RELATIVE TO
THE ACT INCORPORATING MOUNT AMÆNA FEMALE
SEMINARY.

The General Assembly of North Carolina do enact: •

SECTION 1. That section one of chapter fifty-eight, Private Laws of one thousand eight hundred and ninety-one, ratified February fourteenth, one thousand eight hundred and ninety-one, be amended by striking out the words in lines eight and nine from top of page seven hundred and ninety, "not exceeding the sum of one hundred thousand dollars," and insert in lieu thereof the following: "not exceeding five million dollars."

Power to hold property.

SEC. 2. That section three of chapter fifty-eight, Private Laws of one thousand eight hundred and ninety-one, ratified February fourteenth, one thousand eight hundred and ninety-one, be amended by striking out all of section three of said act and insert in lieu thereof the following:

"SEC. 3. That it shall be the duty of the United Evangelical Lutheran Synod of North Carolina to nominate and elect a board of trustees for educational institutions, at its annual convention in November, one thousand nine hundred and twenty-two, twenty-one members in groups of seven, for one, two, and three years respectively, and thereafter seven members annually, and such others as may be required to fill vacancies, who, together with the president of the Synod and president of the seminary, who are hereby made *ex officio* advisory members without a vote, shall constitute the board of trustees of this corporation. That the board of trustees of Mount Amœna Female Seminary shall always be composed of the same individuals as those of the board of trustees for educational institutions of the United Evangelical Lutheran Synod of North Carolina, and that the board of trustees for educational institutions of the United Evangelical Lutheran Synod of North Carolina is hereby authorized and empowered to act for and in behalf of the board of trustees of Mount Amœna Female Seminary. Any vacancies occurring among said trustees by death, resignation or otherwise, or by failure of election by said Synod, shall be filled by the said board of trustees, and such persons so elected shall only hold office until the next meeting of the Synod following their election."

Board of trustees for educational institutions.
Election.

Number and terms.

Advisory members.

Composition of board.

Elections to fill vacancies.

SEC. 3. That section four of chapter fifty-eight, Private Laws of one thousand eight hundred and ninety-one, ratified fourteenth day of February, one thousand eight hundred and ninety-one, be amended by adding to said section after the words "Cabarrus County," the following words, "or at such other place or places

Location.

as may be hereafter designated by the United Evangelical Lutheran Synod of North Carolina.”

SEC. 4. That section six of chapter fifty-eight, Private Laws of one thousand eight hundred and ninety-one, ratified February fourteenth, one thousand eight hundred and ninety-one, be amended by striking out all of section six and insert in lieu thereof the following:

Meetings of trustees.

“SEC. 6. That said trustees may meet annually in the town of Mount Pleasant, North Carolina, and at such other times and places as may be deemed expedient for the good of the seminary. They shall at the first meeting elect from their number a chairman, secretary and treasurer, and an executive committee of not fewer than five, or more than seven, the chairman of the board of trustees to be a member of the committee. It shall be the duty of said executive committee to carry out the rules, regulations, and orders of the said board of trustees, which the said board is authorized and empowered to make.”

Organization of board.

Duties of executive committee.

Change of name.

SEC. 5. That section eight of chapter fifty-eight, Private Laws of one thousand eight hundred and ninety-one, ratified February fourteenth, one thousand eight hundred and ninety-one, be amended by striking out the words in line one of said section, “the trustees of Mount Amœna Female Seminary,” and insert in lieu thereof the words, “The United Evangelical Lutheran Synod of North Carolina.”

Repealing clause.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 7. That this amendatory act shall be in full force from and after its ratification.

Ratified this the 8th day of December, A.D. 1921.

CHAPTER 3

AN ACT TO AMEND CHAPTER 307, PRIVATE LAWS OF 1905, RATIFIED MARCH 4, 1905, AMENDING CHARTER OF LENOIR COLLEGE AT HICKORY, CATAWBA COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the act incorporating the trustees of Lenoir College, ratified March fourth, one thousand nine hundred and five, chapter three hundred and seven, Private Laws of one thousand nine hundred and five, be amended by striking out all of section three of said act, and inserting in lieu thereof the following:

Board of trustees for educational institutions.

“SEC. 3. That it shall be the duty of the United Evangelical Lutheran Synod of North Carolina to nominate and elect a board

of trustees for educational institutions at its annual convention in November, one thousand nine hundred and twenty-two, twenty-one members in groups of seven, for one, two, and three years, respectively, and thereafter seven members annually, and such others as may be required to fill vacancies, who, together with the president of Synod and the president of the college, who are hereby made *ex officio* advisory members without a vote, shall constitute the board of trustees of this corporation. That the board of trustees of Lenoir College shall always be composed of the same individuals as those of the board of trustees for educational institutions of the United Evangelical Lutheran Synod of North Carolina, and that the board of trustees for educational institutions of the United Evangelical Lutheran Synod of North Carolina is hereby authorized and empowered to act for and in behalf of the board of trustees of Lenoir College. Any vacancy occurring among said trustees by death, resignation, or otherwise, or by failure of election by said Synod, shall be filled by the said board of trustees, but such persons so elected shall only hold office until the next annual meeting of Synod following their election."

Number and terms

Advisory members.

Trustees of college.

Elections to fill vacancies.

SEC. 2. That the said act incorporating the trustees of Lenoir College, ratified March fourth, one thousand nine hundred and five, chapter three hundred and seven, Private Laws of one thousand nine hundred and five, be amended by inserting after section three of said act, and immediately preceding section four, the following:

"SEC. 3 (a). That the said trustees may meet annually in the town of Hickory, North Carolina, or at such other times and places as may be deemed expedient for the good of the college. They shall, at the first meeting, elect from their number a chairman, secretary, and treasurer, and an executive committee of not fewer than five, nor more than seven, the chairman of the board of trustees to be a member of the committee. It shall be the duty of the said executive committee to carry out all the rules, regulations, and orders of the said board of trustees, which the said board is authorized and empowered to make."

Meetings of trustees.

Organization of board.

Duties of executive committee.

SEC. 3. That section six of said act, ratified March fourth, one thousand nine hundred and five, chapter three hundred and seven, Private Laws of one thousand nine hundred and five, be amended by striking out in lines one and two of said section the words "two hundred thousand dollars cash," and insert in lieu thereof the words "five million dollars."

Right to hold property.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 5. That this amendatory act shall be in full force and effect from and after its ratification.

Ratified this the 8th day of December, A.D. 1921.

CHAPTER 4

AN ACT TO AMEND CHAPTER 1 OF THE PRIVATE LAWS OF THE SESSION OF 1917, RELATING TO THE COLLECTION OF TAXES IN THE CITY OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Suits for taxes
within ten years.

SECTION 1. That the word "five" in line six of section three, before the word "years" and after the word "within," be stricken out and the word "ten" be inserted in lieu thereof.

SEC. 2. That all laws and clauses of laws in conflict with this act be repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 12th day of December, A.D. 1921.

CHAPTER 5

AN ACT TO FIX AND DEFINE THE CORPORATE LIMITS OF THE CITY OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Boundary.

SECTION 1. That the corporate limits and bounds of "The City of Wilmington" from and after the passage of this act shall be as follows: Beginning on the eastern bank of the northeast branch of the Cape Fear River at the southern edge of the mouth of Smith's Creek, where Smith's Creek enters into the northeast branch of the Cape Fear River, runs thence up Smith's Creek along the southern edge of the same to the point at the southwestern confluence of Green's Mill Creek and Smith's Creek; thence directly across Green's Mill Creek to the northeastern edge of Green's Mill Creek at its mouth; thence along the eastern edge of Green's Mill Creek to the point where the present city limits intersect the same; thence southwardly along the eastern line of Seventeenth Street, as the same is shown on the present official map or plan of the city of Wilmington to where said line again intersects the northeastern edge of Green's Mill Creek; thence up the eastern edge of the same to a point opposite the mouth of Mineral Spring Branch, where the said Mineral Spring Branch empties into Green's Mill Creek; thence across Green's Mill Creek to the mouth of Mineral Spring Branch; thence up the thread of said branch to where the same runs under the embankment or bridge on the "Wilmington-Wrightsville Turnpike" road, formerly known as the "Old Shell Road"; thence in a southwardly direction in a direct line to the southeastern inter-

section of the rights of way of the old Wilmington Seacoast Railroad Company, now the Tidewater Power Company's right of way, and the old Wilmington, Onslow, and East Carolina Railroad Company's right of way, afterwards the Wilmington, New Bern, and Norfolk Railroad Company's right of way, and now the right of way of the Atlantic Coast Line Railroad Company, said point being the southeastern intersection of the right of way of the Tidewater Power Company's line leading to Wrightsville Beach and the Atlantic Coast Line Railroad Company's right of way near the point where the Tidewater Power Company's track crosses the Atlantic Coast Line Railroad Company's track above the same by embankment and trestle near what is known as Delgado: thence southwardly along the southern line of said right of way of the said Atlantic Coast Line Railroad Company to the eastern line of Seventeenth Street as laid down upon the present official map or plan of the city of Wilmington, which said right of way intersects said Seventeenth Street near Meares Street; thence southwardly along the eastern line of Seventeenth Street, as laid down upon the present official map or plan of the city of Wilmington, to the southern line of Greenfield Street, as laid down upon the present official map or plan of the city of Wilmington; thence the same course continued to the northern edge of a stream known as Jumping Run Branch; thence down the northern edge of the run of said Jumping Run Branch with various meanders to where the said Jumping Run Branch empties into Greenfield Lake, or mill-pond; thence along the northern edge of Greenfield Lake, or mill-pond, to the eastern edge of the dam thereof; thence southwardly along the eastern side of the said dam to a point opposite the center of the mill race; thence westwardly to the center of the said mill race just west of the mill house; thence down said mill race to where the said mill race reaches the eastern edge of the bridge over said race on the Federal Point Road; thence westwardly in a line parallel with the southern line of Greenfield Street three thousand nine hundred (3,900) feet; thence northwardly and parallel with Front Street eleven thousand six hundred and forty-three (11,643) feet to a point where the northern line of Brunswick Street would intersect were said Brunswick Street extended westwardly across the river and on the Eagles Island for a sufficient distance to intersect said last mentioned line; thence eastwardly and in a line which when run on the same course as the northern line of Brunswick Street runs as laid down upon the present official map or plan of the city of Wilmington to the western edge of the northeast branch of the Cape Fear River to a point directly opposite the beginning point on the southern bank of Smith's Creek at its mouth; thence directly across the river to the point of beginning.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 12th day of December, A.D. 1921.

CHAPTER 6

AN ACT TO AMEND CHAPTER 34, PRIVATE LAWS OF 1913, AND TO AUTHORIZE THE BOARD OF TRUSTEES OF RED SPRINGS GRADED SCHOOL DISTRICT TO LEVY AN INCREASED SPECIAL TAX.

The General Assembly of North Carolina do enact:

Tax increased by election.

SECTION 1. That upon a majority of the qualified voters residing in Red Springs Graded School District in Robeson County, voting in favor of the levy of an increased special tax to provide increased and additional funds for the school uses and purposes of said district, the special and particular tax heretofore levied under authority of existing law shall be increased so that thereafter there shall be levied upon all taxable property and polls within said Red Springs Graded School District a particular and special tax on all persons and property within said district, not to exceed the sum of sixty cents on each one hundred dollars assessed valuation of property, and not more than one dollar and eighty cents on each taxable poll, which said special tax shall be over, above and in addition to the special or particular tax of fifteen cents on each one hundred dollars assessed valuation of property and forty-five cents on each taxable poll which was heretofore authorized to be levied under section six of chapter thirty-four, Private Laws of one thousand nine hundred and thirteen, as amended, said tax having been authorized to pay the interest and provide a sinking fund for the payment of the bonds issued under the provisions of said chapter thirty-four, Private Laws of one thousand nine hundred and thirteen.

Rate.

Tax to be additional.

Act submitted to voters.

Date for election.

Notice of election.

Election of officers.

SEC. 2. That the provisions of this act may be submitted to a vote of the qualified voters residing in said Red Springs Graded School District at an election to be held on the first Monday of February, one thousand nine hundred and twenty-two, or upon some other date fixed by the board of commissioners of Robeson County. Thirty days notice of such election, containing a brief synopsis of this act, shall be posted at at least five public places within said district, which said notice shall be signed by the registrar and judges of election. It shall be the duty of the board of commissioners of Robeson County to appoint a registrar

and two judges of the election to conduct said election, who shall be qualified voters of the district. It shall be the duty of the registrar to make a new registration of all persons in said district entitled to vote for members of the General Assembly, and only such persons as may register for said election shall be deemed qualified voters within the purview of this act; and to that end the said registrar shall, beginning on the fourth Saturday before the election, attend regularly at some fixed place in the town of Red Springs for four successive Saturdays between the hours of eight o'clock a. m. and six o'clock p. m. for the purpose of registering such persons as may be entitled to register and as may offer to register for said election. All challenges of voters may be entered upon any registration day and shall be passed upon on the day of election. The registrar shall receive as compensation for his services three cents for each person registered by him and three dollars for his services on the day of election, and each judge of election shall be paid three dollars for his services, and all expenses connected with the election shall be paid by the county of Robeson. The registrar shall post at least five public places within the district a notice setting forth the days, hours, and place of registration. For the purpose of this act, the polls shall be opened at the regular voting place for the election of town officers in the town of Red Springs at the hour of eight o'clock a.m. and shall remain open until sundown. In case of the refusal or inability to act upon the part of any election officer, the remaining election officers shall designate his successor.

SEC. 3. At said election those who are in favor of the levy of said increased special tax shall vote a written or printed ballot with the words "For Special Tax" thereon, and those opposed shall vote a written or printed ballot with the words "Against Special Tax" thereon. The number of voters registered, the number voting, the number of votes cast for and against said special tax, shall be counted and the results shall be certified by the election officers and the returns shall be filed with the register of deeds of Robeson County.

SEC. 4. If at said election a majority of the qualified voters of said district shall vote in favor of the levy of said increased special tax, then the board of commissioners of Robeson County shall, annually and at the time of levying the regular county taxes, commencing with the year one thousand nine hundred and twenty-two, levy a special and particular tax on all persons and property subject to taxation within said district, not to exceed the sum of sixty cents on each hundred dollars assessed valuation of property, and not more than one dollar and eighty cents on each taxable poll, which said special tax shall be levied over and above, and shall be in addition to, the special tax of fifteen cents on the one hundred dollars valuation of property and forty-

New registration.

Registration day.

Challenges.

Pay of registrar.

Pay of judges.

Notice of registration.

Voting places.

Hours of election.

Vacancies filled.

Ballots.

Count and return of votes.

Levy of tax if voted.

Limit of rate.

Collection and settlement.	five cents on the poll which has heretofore been levied under authority of chapter thirty-four, Private Laws of one thousand nine hundred and thirteen, said tax having been authorized to pay the interest and provide a sinking fund for the payment of the bonds issued under the provisions of said chapter thirty-four, Private Laws of one thousand nine hundred and thirteen. Said special tax shall be collected by the sheriff of Robeson County at the same time and in the same manner that county taxes are collected, and the amount collected shall be paid by him to the treasurer of the Red Springs School District, and shall be used only for the school uses and purposes of said district.
Specific appropriation.	
Ascertainment of rate.	SEC. 5. If, at said election, a majority of the qualified voters of said district shall vote in favor of the levy of said special tax, then it shall be the duty of the board of trustees of Red Springs Graded School District, on or before the time fixed by law for the levy of county taxes, to annually ascertain and determine what rate of special tax is necessary to be levied and collected to provide sufficient funds for the uses and purposes of said district, and it shall be the duty of the chairman and secretary of said board of trustees to certify to the board of commissioners of Robeson County, under their hands and seal of said district, the rate of special tax necessary to be levied for the ensuing fiscal year to provide sufficient funds for the school uses and purposes of said district, and upon receipt of such certificate it shall be the duty of the said board of commissioners of Robeson County to levy and cause to be collected the rate of special tax set forth in said certificate: <i>Provided, however,</i> that in no event shall the rate of tax to be levied exceed the limitations contained in this act, to wit, the sum of sixty cents on the one hundred dollars assessed valuation of property, and one dollar and eighty cents on each taxable poll. This course shall be followed each year, and the rate of special tax to be levied and collected, within the limitations of this act, may be changed from year to year, as experience may demonstrate to be necessary, to provide sufficient funds for the school uses and purposes of said district.
County commissioners to levy tax.	
Proviso: limit of rate.	
Certificate and levy annually.	
Present tax not affected.	SEC. 6. That nothing herein contained shall be construed as suspending, superseding or affecting the special bond tax of fifteen cents on the one hundred dollars valuation of property and forty-five cents on the poll heretofore levied under chapter thirty-four of the Private Laws of one thousand nine hundred and thirteen, but said tax shall continue to be levied and collected independent of this act. And in case a majority of the qualified voters of said district, at the election to be held under the provisions of this act shall vote "Against Special Tax," then and in that event the said district shall continue to levy all taxes of whatever nature, character or amount, as has been heretofore levied under authority of existing law.

SEC. 7. In case, at the election to be held under the provisions of this act, a majority of the qualified voters of said district shall vote "Against Special Tax," then another election may be held at any time after the expiration of a period of six months from the date of the holding of the first election, and such second election shall be held under the provisions of this act, and the board of commissioners of Robeson County shall designate the time for the holding of such election.

Subsequent elections.

SEC. 8. That all laws and clauses of laws in conflict with the provisions hereof be and the same are hereby repealed.

Repealing clause.

SEC. 9. That subject to the holding of the election as hereinbefore provided, this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 7

AN ACT AUTHORIZING THE BOARD OF COMMISSIONERS OF THE TOWN OF ELLERBE IN RICHMOND COUNTY TO ISSUE BONDS FOR THE BUILDING OF STREETS AND SIDEWALKS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Ellerbe in Richmond County, shall have power to grade, widen, build, and complete good and sufficient streets and sidewalks in said town; and in order to provide funds for the said work the said board of commissioners is hereby authorized and empowered to issue bonds to an amount not exceeding twenty-five thousand dollars, under the stipulations, provisions and conditions provided by general statute.

Powers as to streets.

Bond issue authorized.

Amount.

SEC. 2. The said board of commissioners of said town of Ellerbe is hereby authorized and directed to levy and collect a tax on all taxable property and polls in said town of Ellerbe, sufficient to pay the interest on said bonds as the same may become due, and also before the principal of said bonds shall become due to levy and collect a further tax to pay for the same, or to provide a sinking fund for payment thereof. The tax so levied shall be an *ad valorem* tax in the proportion required by the Constitution of North Carolina, and shall be levied and collected in the same manner and at the same time as other taxes upon property and polls of said town.

Tax for interest and sinking fund.

Levy and collection.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 8

AN ACT TO AMEND THE CHARTER OF THE TOWN OF
ELLERBE IN RICHMOND COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter twenty-five of the Private Laws of North Carolina of the session of one thousand nine hundred and eleven, entitled "An act to incorporate the town of Ellerbe in Richmond County, North Carolina," be amended by striking out section five thereof and inserting in lieu thereof the following:

Taxing powers.

"SEC. 5. That the board of commissioners of said town shall have authority to assess and collect annual taxes for municipal purposes on all persons and property within the corporate limits which are taxed for State and county purposes, under such rules and regulations as it may adopt: *Provided*, that the basis between persons and property shall be the same as established by the Constitution of the State and taxes so assessed and collected shall not exceed one dollar on the hundred dollars worth of property and two dollars on the poll."

Proviso: limit of rate.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act, in so far as they affect the town of Ellerbe, are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 9

AN ACT TO AUTHORIZE THE TOWN OF MARION TO ISSUE
BONDS TO IMPROVE ITS STREETS.

The General Assembly of North Carolina do enact:

Purpose of bond issue.

Bond issue authorized.

Denominations.
Interest.

SECTION 1. That, for the purpose of providing funds for the improvement of the streets of the town of Marion, which improvement is necessary for the public welfare and health of the citizens of said town, the board of aldermen of the town of Marion is hereby authorized and empowered to issue bonds of the town of Marion in an amount not to exceed fifty thousand dollars. Subject to said restriction as to total amount, the said bonds may be issued at such time or times and in such amount and amounts as may be deemed expedient by said board of aldermen. The said bonds shall be in denominations of five hundred dollars each, each bond bearing interest from date thereof at a rate not to exceed six per cent per annum. Each of said bonds shall have attached thereto interest coupons payable semi-annually at such time and place as may be deemed advisable by

said board of aldermen, said bonds to be of such form and tenor and transferable in such manner and the principal thereof to be payable or redeemable at such time or times, not exceeding thirty years from the date thereof, and at such place or places as the said board of aldermen shall determine. Maturity.

SEC. 2. That each of the aforesaid bonds shall state on its face that same was issued for the necessary expenses of the improvement of the streets of the said town of Marion. The funds arising from the sale of said bonds shall be used for the purposes set forth in this act and for no other purpose whatsoever: *Provided*, that all necessary costs and expenses incurred in the preparation and sale of said bonds shall be paid out of the funds arising from the sale thereof; and *Provided further*, that the purchaser or purchasers of said bonds shall not be required to see to the application of the proceeds of said sale. Recitals in bonds.
Specific appropriation of proceeds.
Proviso: expense of issue.
Proviso: obligation of purchaser divested.

SEC. 3. That the bonds issued under and by authority of this act shall not be sold for less than par value. Sale below par forbidden.

SEC. 4. That the board of aldermen of the town of Marion shall, after the issue of bonds under the provisions of this act, levy annually a special tax upon all property and subjects of taxation on which the said board of aldermen are or may hereafter be authorized to levy taxes, which said special taxes shall be sufficient to pay the interest accruing on the said bonds as the same becomes due, and to provide a sinking fund adequate to pay the principal of said bonds at maturity. The said tax shall be levied and collected at the same time and in the same manner as the other town taxes are levied and collected and shall be accounted for separately and kept separate and apart from other town taxes. The proceeds arising from the collection of said special tax shall be applied exclusively for the purposes for which they are levied and collected and for no other purpose whatsoever. Special tax.
Levy and collection.
Funds kept distinct.

SEC. 5. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 10

AN ACT AUTHORIZING THE CITY OF ROCKY MOUNT TO ISSUE FUNDING BONDS.

Whereas the city of Rocky Mount had outstanding on December one, one thousand nine hundred and twenty-one, and now has outstanding, a floating indebtedness of more than one hun- Preamble: amount of floating bonds.

dred and sixty thousand dollars, incurred in good faith for necessary expenses, and including sealed notes issued in anticipation of the collection of taxes and other municipal revenue for the fiscal year one thousand nine hundred and twenty-one—one thousand nine hundred and twenty-two, aggregating in amount one hundred and fifty thousand dollars (\$150,000), and maturing on April ten and June three, one thousand nine hundred and twenty-two: and

Preamble: sufficiency of revenue.

Whereas it now appears that the revenue of the city of Rocky Mount from taxes and other than regular sources of income for the said fiscal year, together with all other municipal funds available therefor, over and above such part thereof as will be necessary for the payment of the ordinary expenses of said city for the remainder of the said fiscal year, will be sufficient for the payment of only a small part of said floating indebtedness; and

Preamble: desire for bond issue.

Whereas the board of aldermen of the city of Rocky Mount is desirous of issuing bonds of the said city in such amount as may be necessary for funding that part of said floating indebtedness, for the liquidation of which provision cannot otherwise be made, but finds itself without legal authority to do so: Now, therefore,

The General Assembly of North Carolina do enact:

Bond issue authorized.

SECTION 1. That for the purpose of funding such part of the aforesaid municipal floating indebtedness as may be necessary the board of aldermen of the city of Rocky Mount is hereby authorized and empowered to cause to be issued and sold negotiable, coupon, serial bonds of the city of Rocky Mount to the maximum principal amount of one hundred and fifty thousand dollars (\$150,000), which shall bear interest from date at a rate not in excess of six per centum (6%) per annum, payable semi-annually, and shall mature within a period not exceeding fifteen (15) years, computed from April one, one thousand nine hundred and twenty-two; and that in all respects, except as herein otherwise provided, said bonds shall be issued and sold under and in accordance with the provisions of the Municipal Finance Act (subchapter three of the Consolidated Statutes) and acts amendatory thereof and supplemental thereto.

Amount.

Interest.

Maturity.

Law governing bond issue.

Floating debt validated.

SEC. 2. That all floating and other indebtedness of the city of Rocky Mount, not evidenced by bonds, which was outstanding on December one, one thousand nine hundred and twenty-one, and which was incurred by said city in good faith for necessary municipal expenses, is hereby validated, notwithstanding any want of power or authority to incur such indebtedness for the purpose of which incurred, and notwithstanding any defect in the procedure for incurring such indebtedness, or any other defect or illegality whatsoever, including a failure to observe any debt limit prescribed by law.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 4. That this act shall be in full force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 11

AN ACT TO INCORPORATE THE TOWN OF BUNLEVEL IN HARNETT COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Bunlevel, in the county of Harnett, be and the same is hereby incorporated and created a body politic under the name and style of the Town of Bunlevel. Incorporation.
Corporate names.

SEC. 2. That the territory embraced within the corporate limits of said town shall be that territory embraced within a circle whose radius is one-quarter of one mile, and the center of which is located at the center of the intersection of the main line of the Norfolk and Southern Railroad track with the public road leading from the village of Duke, said road being designated as Duke Street on the map of the village of Bunlevel now appearing on record in the office of the register of deeds of Harnett County. Boundary.

SEC. 3. That the town of Bunlevel through its board of commissioners and other officers shall possess all the powers, privileges and authorities, and be subject to all the limitations conferred upon and imposed upon cities and towns by chapter fifty-six of the Consolidated Statutes of North Carolina and laws amendatory of the same, not inconsistent with this act. Powers and
limitations.

SEC. 4. That the following officers of said town be and the same are hereby appointed to hold their respective offices until the first Tuesday after the first Monday in May, one thousand nine hundred and twenty-three, and until their successors shall have been duly elected and qualified, to wit: L. A. Bethune, mayor, and J. McD. Parker, J. W. Byrd, and B. F. Truelove, commissioners, and thereafter biennially there shall be elected under the provisions of the general laws applicable to towns and cities a mayor and three commissioners subject to the power of said towns and cities to change the number of commissioners as provided by general law. Officers appointed.

SEC. 5. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed. Repealing clause.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 12

AN ACT TO RATIFY AND VALIDATE PROCEEDINGS OF THE TOWN OF CHADBOURN FOR THE ISSUANCE OF CERTAIN BONDS OF SAID TOWN AND TO AUTHORIZE A TAX FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

Proceedings ratified and affirmed.

SECTION 1. That the proceedings heretofore taken for the issuance of fifty thousand dollars of water and street bonds of the town of Chadbourn, which were authorized by ordinance of the board of commissioners of said town and by vote of the people at an election held April fifth, one thousand nine hundred and twenty-one, including the issuance of serial in lieu of long-term bonds by the board of commissioners of said town, be and the same are hereby ratified and affirmed, and when the said bonds shall have been delivered and paid for at not less than par and accrued interest, they shall constitute valid obligations of said town, and for the payment of principal and interest of said bonds a direct annual tax shall be levied as provided in the Municipal Finance Act.

Valid obligations.

Direct tax.

SEC. 2. This act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 13

AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSONVILLE, IN HENDERSON COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter three hundred and fifty-two of the Private Laws of one thousand nine hundred and thirteen, entitled "An act granting a charter to the city of Hendersonville, in Henderson County," be and the same is hereby amended by striking out everything after the word "corporation" in line three and inserting in lieu thereof the following, viz.: "and the boundary limits of said city of Hendersonville shall be as follows: Beginning at a point in the original boundary line of said city, one mile from a point in front of the county courthouse, where the center of the old courthouse used to be, and two hundred and twenty-five feet west of the center of Mud Creek, and runs thence north eighteen degrees and five minutes two thousand eight hundred and thirty feet to a point on the west margin of South Main Street; thence north thirty degrees and fifty minutes east one thousand six hundred and eighty feet to a point

Boundary.

about half way between the west bank of Mud Creek and the center line of the Southern Railway track; thence north fifty-three degrees and eighteen minutes east one thousand one hundred and ninety-two feet to a point in the center line of the Southern Railway Company's main line between Asheville and Spartanburg; thence north eleven degrees east one thousand five hundred and ninety-two feet to a point two hundred feet west of the center line of Mud Creek; thence north six degrees and ten minutes east one thousand one hundred and fifteen feet to a point one hundred feet west of the center line of Mud Creek; thence north eighteen degrees and forty-eight minutes west three hundred and ninety-one feet to a point in the southeastern margin of North Seventy Avenue, east, and about seventy-five feet southwest of the center line of Mud Creek; thence parallel with Mud Creek north thirty-nine degrees and ten minutes west one thousand eight hundred and fifteen feet to a point on the original boundary line of said city, just one mile from the point in front of the county courthouse, which was the center of the old courthouse; thence with said original line along the circumference of a circle with a radius of one mile and which has for its center a point in front of the county courthouse, which was the center of the old courthouse which was torn down in the year one thousand nine hundred and four; thence to the point of beginning.

SEC. 2. This act shall be in full force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 14

AN ACT TO VALIDATE A BOND ISSUE OF THE CITY OF KINSTON.

The General Assembly of North Carolina do enact:

SECTION 1. The electric light bonds heretofore issued by the city of Kinston, in the county of Lenoir, North Carolina, in the aggregate principal amount of three hundred thousand dollars, consisting of three hundred bonds of the denomination of one thousand dollars each, numbered from one to three hundred, inclusive, dated October fifteenth, one thousand nine hundred and twenty-one, maturing serially, viz.: six bonds on October fifteenth in each of the years one thousand nine hundred and twenty-three to one thousand nine hundred and forty-two, inclusive, and ten bonds on October fifteenth in each of the years one thousand nine hundred and forty-three to one thousand nine hundred and sixty, inclusive, and bearing interest at the rate of six per cent per annum, payable semiannually, which bonds

Bond issue
validated.

recite that they are issued pursuant to the Municipal Finance Act of the State of North Carolina (subchapter three of chapter fifty-six of the Consolidated Statutes) and pursuant to an ordinance adopted by the city council of said city on April fifth, one thousand nine hundred and twenty, as amended by an ordinance adopted November first, one thousand nine hundred and twenty, and further recite that they are issued for necessary expenses of said city, namely, for the purpose of providing a suitable plant or system for furnishing electric light to said city and its inhabitants, are hereby legalized and validated and made binding obligations of said city; and the officers of said city who are authorized to levy taxes for municipal purposes in said city, are hereby authorized and directed to levy annually on all taxable property of said city a tax sufficient to pay the principal and interest of said bonds at the times when said principal and interest fall due.

Obligation
binding.

Taxes.

Repealing clause.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 15

AN ACT TO AUTHORIZE THE TOWN OF SANFORD TO PAVE AND IMPROVE ITS STREETS, ASSESS COST ON ABUTTING PROPERTY, AND ISSUE BONDS THEREFOR.

The General Assembly of North Carolina do enact:

Creation of
improvement
districts.

Equalization of
assessments.

Assessment of
entire cost.

SECTION 1. That the board of aldermen of the town of Sanford, North Carolina, shall have and is hereby given and granted full power and authority to adopt by ordinance such system of creating and laying out, altering or changing districts or sections of streets and sidewalks in the town of Sanford, North Carolina, for paving and other permanent improvement, to assess, and provide for equalizing the assessment of all cost and charges of such improvement upon real estate and abutting property in said town as may be just and proper; and in order to more fully carry out the provisions of this act for permanent street improvement, said board of aldermen shall have full power and authority to pass ordinances assessing the entire cost of paving, curbing, repaving, installation of proper drainage facilities, or otherwise permanently improving all streets and sidewalks, or portion thereof paved, repaved, curbed, or otherwise improved in said town; and it shall be incumbent upon the owners of real

estate abutting on each side of the street or sidewalk, or part thereof so improved or repaired, to pay the amount so assessed for such improvement, and such cost, charges or assessment shall be a lien on all abutting property from the commencement of the work as provided for in this act: *Provided, however,* that two-thirds of the costs of such street improvement shall be assessed against and paid by the abutting property, or one-third of such costs assessed against the property abutting on each side of the street, and one-third of the cost to be paid by the municipality, the total costs of such improvements to be financed by the issuance of serial bonds as hereinafter provided.

Assessments a lien on property.

Proviso: apportionment of cost.

Serial bonds.

SEC. 2. That in order to equalize the assessments on real estate for the purposes described herein, the board of aldermen shall before the commencement of such street work or improvement, estimate the total cost of such improvement to be made in any district created or laid out for such purpose, and shall then prorate the cost thereof on the real estate abutting thereon in proportion to the frontage on the street, or portion of street so improved, and charge to and assess upon the real estate on each side of the street upon which work is to be done, its pro rata share of the entire cost of all such improvements made under the provisions of this act. The cost of such improvements for special benefit of, or to, property, as estimated in the above manner, shall be financed by the issuance of bonds and the levy of special taxes and assessments to pay the principal and interest thereon, as hereinafter provided.

Estimate of cost.

Cost prorated in proportion to frontage.

SEC. 3. That such assessments of estimated cost charged or assessed against abutting property, shall constitute a lien upon such abutting property from and after the date of the filing of a statement thereof by the street committee of the board of aldermen of said town in the office of the town clerk, payable and to be collected as hereinafter provided, and subject to such increase or reduction as may be necessary to make a just and equitable distribution of the actual cost of such improvement when ascertained as herein provided.

Lien for assessments.

SEC. 4. That immediately upon the completion of the work in any district created, or section laid out, for permanent street improvement by said board of aldermen, as herein provided, the town engineer, or other person or committee of the board of aldermen, in charge of such work, shall make a report in writing to said board of aldermen showing the total actual cost of such improvement throughout the entire length of said district, or section, created or laid out, with the number and description of the lots abutting on said streets or portion thereof, so improved, together with the number of feet frontage of each of said lots and the owners thereof, and said board of aldermen shall ascertain, determine, and declare the actual cost of such permanent improvements in such district or section, and in order to

Report of cost on completion of work.

Determination and assessment of cost.

Assessment pro-
portioned by
frontage.

Proviso: estimate
of cost conclusive.

Impeachment for
fraud.
Right of appeal.
Correction of
assessment.

Proviso: sub-
divisions.

Number of sub-
divisions.

Notice of owners.

Service of notice.

Owners under
disability.

Right to file
objections and of
appeal.

equalize the assessments on real estate for the purpose of paying therefor, shall take the total cost of such improvement throughout the entire district or section, and shall then pro rate the cost thereof and assess the same against the real estate abutting on the street therein, in proportion to the frontage on the street, or portion thereof, so improved, and charge to and assess against the real estate and each lot upon each side of the street upon which said work is done, its pro rata share of the cost of such improvement: *Provided, however,* that the total cost of such street improvement in such district or section, as determined and declared by said board of aldermen, shall be final and conclusive, subject only to impeachment for fraud or collusion, with the right of appeal as herein provided. And the charge or assessment made against the abutting property under the estimated cost of such street improvement work as herein provided, shall be corrected by the addition of the difference between it and the actual cost thereof, or the deduction of such difference, accordingly as the estimated cost thereof may be less or greater than such ascertained actual cost, and as thus corrected shall constitute a lien upon abutting property as herein provided: *Provided, however,* that in case any street or part of a street laid out as a district for permanent improvement is of such unequal width as to render the plan of equalization of assessments as set out in this act unjust to any abutting property, then and in that case the said board of aldermen are authorized to divide such district into subdivisions and to apply the rule of equalization of assessments prescribed herein to such subdivisions, instead of the entire district or section created or laid out. And said board of aldermen may make as many subdivisions of said districts or sections as may be necessary to effect a just distribution of the cost of permanent improvements to be made in the district or section.

SEC. 5. That the board of aldermen shall cause a written notice to be served on all owners of abutting property affected by improvements as provided by this act, at least ten days before the final assessments provided for in this act are made, which notice shall command the property owner to appear before the board of aldermen at a time and place stated therein and show cause, if any, why such assessment should not be made, which notice may be served by any policeman or constable of the town of Sanford, or other proper officer, and proved by the return of such officer thereon endorsed. In the event the owner or owners of any such lot or lots herein referred to, be an infant, idiot, lunatic, or incompetent, then his general guardian, if he has such, shall act for him; if he has none, it shall be the duty of the clerk of the Superior Court of Lee County, North Carolina, to appoint a guardian *ad litem* to act for him. Any person who shall feel aggrieved by the findings or assessments of said board

of aldermen with reference to such permanent improvements shall have the right within ten days after the findings and assessments by said board of aldermen have been filed with the clerk of the town of Sanford, and not thereafter, to file with said clerk his objections to such findings, and appeal from the decision of said board to the next term of the Superior Court for Lee County, North Carolina, by serving a notice in writing upon the mayor and town clerk of said town of his intention to do so, specifying in said notice the grounds of his objection to said findings, and by filing within the time above prescribed for taking appeals of a written undertaking in the sum of at least two hundred dollars, with sufficient surety to be justified and approved by said clerk, to the effect that said appellant will pay to said town all such costs and damages as it may sustain by reason of said appeal. In such cases of appeal from the board of aldermen, the ordinance laying out or creating the improvement district or section, the action of the board with reference to the special benefits, minutes of the proceedings of said board, the objections of the property owner with reference thereto, and all other documents with reference to the same, and material to the controversy, shall constitute the case on appeal, and be certified by the town clerk of Sanford to the clerk of the Superior Court for Lee County, and docketed as other civil causes for trial, and shall be tried at the next ensuing term of said court, with leave of either party to file such pleadings as he or it may be advised. If said issues or any of them, be found in favor of the town of Sanford, to any amount, then judgment shall be rendered for and in favor of said town for such amount, and the amount so found together with the costs of such appeal, to be assessed and taxed as costs in other civil actions, shall be and continue a lien against the property upon which the original assessment was placed, from the date of said original assessment, and shall be paid as herein provided, and by law provided, for the collection of judgments.

Notice of appeal.

Bond on appeal.

Case on appeal.

Judgment on appeal.

Lien on property.

SEC. 6. That as soon as the amount assessed against such abutting property is determined in the estimated costs of such permanent improvements in any district or section created or laid out as herein provided by said board of aldermen, the said board may cause a notice to be published once a week for two weeks in some newspaper published in the town of Sanford, substantially in the form following:

Street improvement notice.

STREET IMPROVEMENT NOTICE.

Notice is hereby given that a street improvement district has been created as follows: (describe limits of district), for the purpose of (describe improvement work contemplated), and that the improvement to be chargeable and assessed against abutting real estate has been estimated as to each parcel of said real

Notice of bond issue.	estate, and a statement of the same is on file at the office of the town clerk. Bonds will be issued to pay the special assessments and cost thereof except in cases where owners of the property file with the town clerk, within ten days from the date of this notice a written notice that they elect to pay in cash the special assessment against their property, describing the same.
Election to pay cash.	
Issue of improvement bonds authorized.	SEC. 7. After the expiration of the time fixed for the filing of the notice of election of the property owner to pay the sum assessed as provided for in this act, the board of aldermen of the town of Sanford, North Carolina, is hereby authorized and empowered to issue improvement bonds covering all assessments and the costs of such permanent street improvements, except such assessment as property owners may elect to pay in cash, which bonds shall be known and designated as "street improvement bonds," not exceeding in the aggregate two hundred fifty thousand dollars, such bonds to be executed in the corporate name of the town of Sanford, by its mayor and town clerk, under its corporate seal with semiannual interest coupons thereto attached, bearing the <i>facsimile</i> signature of the town treasurer, maturing in series within twenty years from the date of issue, in such form and in such denomination and bearing such date and such rate of interest, not exceeding the legal rate per annum, as said board of aldermen shall determine, principal and interest payable at such time and place as said board of aldermen shall prescribe, and may be sold at either public or private sale for the best price that can be obtained therefor, not less than par: <i>Provided, however,</i> cost of printing and attorney's fees and expenses shall be paid from the proceeds of selling said bonds. The series of said bonds shall mature within the period of twenty years from date of issue, in installments, the first of which shall mature at the expiration of three or five years from the date of issue, and no one of which shall be greater than twice the amount of the preceding installment, and the proceeds from the sale of any of said bonds shall be used for the purpose of carrying out the provisions of this act, and disbursed as now provided by law for the disbursement of funds by the town treasurer: <i>Provided,</i> said board of aldermen may provide that any contractor for permanent improvement work constructed hereunder, shall take said bonds as payment on the contract price for such improvement at par value, and interest accrued thereon: <i>Provided, however,</i> the purchaser of said bonds need not see to the application of the purchase money paid for said bonds.
Limit of amount.	
Execution of bonds.	
Maturity.	
Interest.	
Sale of bonds.	
Proviso: costs paid from proceeds.	
Maturity by installments.	
First installment.	
Proportion of installments.	
Specific appropriation of proceeds.	
Proviso: contracts paid in bonds.	
Proviso: obligation of purchaser divested.	
Special assessments included in tax levy.	SEC. 8. At the date of each annual tax levy after the issuance of bonds hereunder, and thereafter until all bonds issued hereunder have been fully paid, when the tax levy for the year is prepared, sufficient special assessments of taxes on each parcel or lot of land abutting on the streets wherein such improvements are made, to pay the annual installments of principal and in-

terest on the amount of such special assessments then unpaid, shall be included in the tax levy for the said town as a special tax on said property, and thereafter such tax shall be treated in all respects as any other town tax, to be collected in the same manner and constitute a lien on the property affected, and in every other respect the same as other taxes; and in case the owner of the property fails or refuses to pay said special assessment, then the property shall be sold and in the same manner as real estate is sold for the collection of taxes thereon.

Collection.

Lien on property.

Sale of property.

SEC. 9. That for the purpose of paying the principal and interest upon the bonds authorized by this act, the said board of aldermen of the town of Sanford is hereby authorized and empowered to levy and collect, at the same time, and in the same manner as other taxes are collected, in addition to the special assessments to be made and levied hereunder, a special tax not exceeding forty cents on the one hundred dollars valuation of taxable property, real and personal, within the corporate limits of the town of Sanford.

Special tax.

Limit of rate.

SEC. 10. That the assessments made and determined by the board of aldermen under the provisions of this act, against real estate for the purpose of paying the cost of such permanent street improvements, shall be due and payable in annual installments, to be fixed by said board of aldermen at not less than ten, nor more than twenty, each installment bearing interest at a rate not exceeding the rate paid on bonds issued for such district from the date of final findings by said board of aldermen as herein provided, and the total assessment so made shall be and remain a lien upon said lot or parcel of land, notwithstanding any sale thereof for the purpose of enforcing the collection of any annual installment, until paid in full.

Assessments due in annual installments.

Interest in installments.

Liens.

SEC. 11. That the cost of making permanent improvements at the street intersections within said town of Sanford shall be assessed and paid as follows: one-eighth part thereof by the owner of each corner lot thereof, and one-half thereof by the town of Sanford, such assessment to be a lien upon such lot, chargeable and payable in installments as other assessments made hereunder.

Cost of street intersections.

Liens.

SEC. 12. That said board of aldermen is hereby authorized and empowered to assess upon street railways and others using the streets of the said town for the purpose of maintaining tracks thereupon, in any district or section created or laid out hereunder, the total cost of paving between the rails and for a space of eighteen inches on each side thereof, and, in addition thereto, two-thirds of the costs of such improvements made over and across railroad and street crossings in such district, to be assessed and collected as herein provided for assessments upon such abutting property, and the railroad tracks and rights of way occupied by tracks, lying adjacent to or abutting on or along the

Railway tracks.

Further assessments.

Tracks or rights of way abutting property.

streets of the town of Sanford, or section of streets, in any district created or laid out under this act, for street improvement work, shall be considered abutting property, and shall be subject to the lien of special assessments as provided for in this act, to the same extent and in the same manner as such assessment may be levied against abutting property, on or along the opposite side of such street or streets.

Sewer and water connections.

SEC. 13. That the board of aldermen of said town is hereby authorized and empowered to require by proper ordinance the owners of any vacant lots, or unoccupied real estate within any improvement district or section created or laid out hereunder, as a part of the improvement work therein, to make proper connection with the sewer lines and water pipes of said town, as now laid out and established, or hereafter changed or relocated, at the property line of such real estate and street, before and as a part of the street improvement work in such district, and upon failure of said owner to do so within ten days from the service of a notice upon such owner, or the agent of such owner, the said board of aldermen may order said connections made by the town and charge and assess the same against the abutting property benefited by such connection, and enforce the collection thereof, as herein provided for the payment of assessments made for other street improvements.

Connections made by town.

Assessment of cost.

Selection of material.

SEC. 14. The said board of aldermen shall have full power and authority to determine, in the exercise of its discretion, the nature and kind of surfacing materials, whether concrete, asphalt, bitulithic, or other paving materials, to be used in said street improvements: *Provided, however,* streets shall be hard-surfaced from curb to curb.

Proviso: width of surface.

Storm sewers, drainage and curbs.

SEC. 15. That the costs of installation of storm sewer, proper drainage facilities, and curbing, in any such district shall constitute a portion of the costs of such street improvement to be assessed under the provisions of this act.

Disbursements by State Highway Commission.

SEC. 16. That any benefits accruing from the location or construction of the State highways, or from the disbursements of funds therefor by the State Highway Commission, within the corporate limits of the town of Sanford, shall be paid and inure to the benefit of said town of Sanford, and be applied to its portion of cost of any street improvement made hereunder.

Street improvement fund.

SEC. 17. That all funds derived from the sale of any bonds, and from special assessments and taxies levied and collected hereunder shall constitute a separate fund, to be known as the street improvement fund, and a separate record thereof shall be kept by the town treasurer, and shall be expended only for street improvement work, extension of sewer and water lines, in said town, and the payment of interest upon the bonds hereby authorized, and to create a sinking fund sufficient to pay said bonds at maturity, as provided in this act.

Records.

Specific appropriation.

SEC. 18. That said bonds herein authorized may be issued by said board of aldermen in one or more issues, at such times, in such sums and such aggregate amounts as said board may, in the exercise of its discretion, deem necessary to pay for the street improvement in any district created or laid out under the provisions of this act. Issuance of bonds.

SEC. 19. That all laws and clauses of laws in conflict with any of the provisions of this act, so far as same may conflict herewith, be and the same is hereby repealed: *Provided, however,* that the methods for the construction of sidewalks in said town of Sanford as provided in the charter of said town shall be and remain in full force and effect. Repealing clause.
Proviso: construction of sidewalks.

SEC. 20. That the powers enumerated and conferred by this act shall be concurrent with the powers and provisions of the Municipal Finance Act of North Carolina, and acts of the General Assembly supplemental and amendatory thereto, except that the portion of the bonds issued hereunder and assessed against abutting property shall be excluded from the limitations in said act placed upon authority to issue bonds, and proceeding relating to the issuance and sale of said bonds may be had either under the provisions of this act, or said Municipal Finance Act, or both concurrently, as said board of aldermen may determine, and wherever any conflict occurs, the provisions of this act shall control. Application of
Municipal Finance
Act.

SEC. 21. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 16

AN ACT TO AMEND THE CHARTER OF THE TOWN OF WINTON, HERTFORD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the citizens of the town of Winton shall be, and continue as heretofore, a body politic and corporate, and shall bear the name and style of the town of Winton, and under such name is hereby invested with all property and rights of property, which now belong to the said town of Winton, under any name whatsoever, and by this name may acquire and hold, for the purpose of government, welfare, and improvement, all such estate as may be devised, bequeathed, or conveyed to it; and may purchase or sell any estate belonging to the town which may be deemed for the best interest of the town, and shall be liable for all debts, claims or obligations and duties which now exist against the corporation of the town of Winton; to contract and to be contracted with, sue and be sued, shall have perpetual succession, use a common seal. Corporation.
Corporate name.
Corporate powers.

Corporate limits.	SEC. 2. That the corporate limits of the town of Winton shall be as follows: Commencing on Chowan River at a point, the center of Main Street, running southwardly on a line with said Main Street extending one thousand seven hundred and sixty (1,760) yards, and extending on the east from the center of Main Street four hundred and fifty-five (455) yards, and extending on the west from the center of Main Street three hundred and fifty-five (355) yards.
Town elections.	SEC. 3. That on the first Tuesday after the first Monday in May, one thousand nine hundred and twenty-three, and on the first Tuesday after the first Monday in May, biennially thereafter, there shall be elected a board of commissioners, a mayor, and a chief of police, by the qualified voters of said town, and the said officers so elected shall hold office for a period of two years, or until their successors are duly elected and qualified, except such as may be removed for cause or otherwise.
Officers to be elected.	
Term of office.	
Law governing elections.	SEC. 4. That the annual election herein provided, and any and all elections herein authorized, or as may be deemed necessary for town purposes, shall be called, held, conducted, and concluded under the direction of the mayor and board of commissioners of said town, by officers so designated and appointed by them, in manner and form in every respect as near as may be, and under the same provisions of law and practice as near as may be, as elections for county officers are held and conducted, like county officials, under the general law relating to such elections in North Carolina in force at the time of such elections, including all the penalties and forfeitures prescribed for the violation of such law. That the board of commissioners and mayor may or are hereby authorized to call an election for any municipal purpose upon the presentation of a petition of one-fourth of the qualified voters of said town, such election to be held in the same manner as is prescribed for holding elections of town officers. All elections for all town officers and for all town purposes shall be held at one voting place, to be designated by the board of commissioners of said town.
Special elections.	
Voting place.	
Board of commissioners.	SEC. 5. That the board of commissioners shall consist of three commissioners, each commissioner shall be a qualified elector, and must have lived in the town when he is elected for a period of twelve months next preceding his election; and if any such commissioner shall, after election, move out of the limits of said town, his office shall be vacated thereby, and the same shall be filled as hereinafter provided, and the commissioners so elected shall constitute the commissioners of the town of Winton.
Qualification for commissioners.	
Removal to vacate office.	
Vacancy filled.	
Commissioners to qualify.	SEC. 6. That on the second Tuesday in May, one thousand nine hundred and twenty-three, and biennially thereafter, the board of commissioners, after having taken an oath before some officer empowered to administer an oath, to support the Constitution of the United States of America, and the Constitution

of the State of North Carolina, and to well, faithfully, and truly perform the duties of the office of a commissioner of the town of Winton to the best of their ability, which oath shall be subscribed to and entered upon the minutes of the corporation and attested to by the said officer administering the oath, shall take their seats and remain in office for a period of two years and until their successors are elected and qualified, except such as may be removed for cause or otherwise. They shall organize by electing one of their members chairman, who shall act as mayor, *pro tempore*, in case of a vacancy, absence, or illness of the mayor. They shall proceed to elect members to fill such vacancies as may arise by death, or failure to elect in the town, whether by virtue of a tie or on certificate of a fraud, and shall fill any vacancies as may occur from time to time during their term of office, either elective or appointive offices. A majority of the commissioners shall constitute a quorum for the transaction of business. Said board of commissioners shall meet for the transaction of business at least once a month, and shall meet on the call of the mayor, or a majority of the board of commissioners, as often as may be necessary. Said board of commissioners at its first meeting after having been qualified, shall proceed to elect a town treasurer and sanitary officer. The chief of police shall act as tax collector. When necessary, employ an attorney or attorneys, and any and all other officers which may be deemed necessary to promote the general welfare of the people and for the good government of the town.

Organization.

Mayor *pro tempore*.

Elections to fill vacancies.

Quorum.

Regular meetings.

Called meetings.

Treasurer and sanitary officer.

Tax collector.

Employment of attorney.

SEC. 7. That there shall be elected by the qualified voters of the town of Winton, on the first Tuesday after the first Monday in May, one thousand nine hundred and twenty-three, and on the first Tuesday (after the first Monday) in May biennially thereafter, in the same manner as provided for the election of a board of commissioners and mayor, a chief of police who shall serve for a period of two years or until his successor is duly elected and qualified, except he be removed for cause or otherwise.

Election of chief of police.

Term of office.

SEC. 8. That the board of commissioners of the town of Winton shall have power to make and provide such ordinances for the government of the town as it may deem necessary or expedient, not inconsistent with the laws of the State of North Carolina, and it shall have power to make and provide all needful ordinances to secure health, order, quiet, and safety within the town limits and for one mile beyond; to take all necessary means to prevent and extinguish fires; to make ordinances and regulations for the observance of the Sabbath; to suppress and remove nuisances; to regulate the speed of riding and driving on the public streets; to keep and require to keep the streets and sidewalks clear of all obstructions; to cut and remove all limbs,

Legislative powers.

Enumeration.

Extra territorial power.

branches, parts of trees and shrubbery, extending upon or overhanging the sidewalks or streets, or in sidewalks or streets.

Ordinances as to
animals and fowls.

SEC. 9. That the commissioners shall have power to make such ordinances as may be necessary, declaring all domestic animals, dogs, or fowls running at large within the corporate limits of the said town a nuisance, and shall have power to sell the domestic animals, dogs, or fowls; and the commissioners may treat the same as a nuisance and have it abolished in such way as it seems best in their discretion.

Abatement of
nuisances.

SEC. 10. That the board of commissioners shall have power to require and compel the abatement and removal of all nuisances within the town at the expense of the person causing the same, or the owner or tenant of the ground, wherever the same may be. Said board of commissioners shall have power to require the removal of all unsafe and dangerous buildings which may be within the corporate limits of the town, at the expense of the owner of the same. They shall have power to regulate the establishment of slaughter houses, or any and all other buildings which they may deem necessary to do so, or the exercise of any offensive or unhealthy trade, business, or employment within said town.

Unsafe buildings.

Slaughter houses.

Offensive or
unhealthy trades.

Fire limits.

SEC. 11. That they shall establish fire limits and remove or prevent the erection, construction, or establishing of any building or structure built of wood or any other material which would increase the danger of fire; and shall have the right to refuse the building or erection of buildings except under certain rules and regulations adopted by them.

Powers as to
streets.

SEC. 12. That the board of commissioners shall have power to lay out and open streets within the limits of the town whenever it may be deemed necessary, and shall have power at any time to widen, change, extend, or discontinue any streets or any part or parts thereof, within the limits of said town; and shall have full power and authority to condemn, appropriate, or use any land necessary for any of the purposes named in this section:

Power to condemn
land.

Proviso: reason-
able compensation.

Provided, such town shall make a reasonable compensation for any damages done and allotted to the owner or owners thereof upon the recommendation of a jury to allot the same. In each and every case of the kind there shall be summoned a jury of three disinterested men, who shall assess the amount of damages, and report the same to the board of commissioners. If the board of commissioners shall accept the report made it shall pay and tender to the landowner the amount in legal tender, and thereupon the title shall become vested in said town. If the landowner shall think the amount assessed below the value of such land taken, nothing herein shall be construed so as to deprive him of his rights to appeal and bring suit for damages against the corporation.

Assessment of
damages.

Right of appeal.

SEC. 13. That the board of commissioners shall have power to pass such ordinances as may be necessary to prevent vagrancy and street begging, to impose punishment or penalties on such persons as habitually refuse to follow some useful trade or occupation without adequate means of support.

Vagrancy and street begging.

SEC. 14. That all ordinances passed by the board of commissioners shall be entered on the minutes at the session at which they are passed and recorded in a book for that purpose, which record shall state the number of the ordinance and date of its passage; and that any ordinance so passed shall be in effect from the date of its passage.

Record of ordinances.

Effective from passage.

SEC. 15. That the board of commissioners shall regulate the salaries of all elective or appointive offices, and shall decide the amount of salary each officer is to get.

Salaries.

SEC. 16. That the board of commissioners of said town shall have the power annually to levy taxes for town purposes on real and personal property, taxable polls, trades, license, and other subjects of taxation as provided in the Constitution of the State of North Carolina, and as further provided by the laws enacted by the General Assembly; and all property within said town shall be liable for taxation for the purposes of said town, and shall be the same as may be assessed thereon for State purposes. The rate of taxation shall not exceed fifty cents (50c) on the one hundred dollars worth of property.

Taxing powers.

Limit of rate.

SEC. 17. That in the collection of all town taxes on property or polls, the general law of the State regulating attachment and garnishment shall be applicable, and the mayor and chief of police, and assistant policemen, shall have the same power as that allowed by the general law to justices of the peace and sheriffs in such cases.

Collection of taxes.

SEC. 18. That the citizens of the town of Winton, and all others liable to be taxed under this charter, shall on the first Monday in May, one thousand nine hundred and twenty-two, and on the first day of May thereafter, render on oath to the list-taker of the town, who is hereby constituted a commissioner of affidavits for that purpose, on a blank to be furnished by the board of commissioners, a list of their property and subjects for which they may be liable to be taxed under the rules and penalties as are prescribed by the general law or by the provisions of this charter.

Property to be listed.

SEC. 19. That if any person, company or corporation shall fail to render to the list-taker the lists of property and other taxables required to be rendered by this charter within the time prescribed for listing taxes as provided by this charter, such persons, company or corporation shall pay double the tax assessed on any subject for which such person, company or corporation is liable to be taxed.

Double tax for failure to list.

Tax lists.

SEC. 20. That from the returns and lists made as is prescribed by this charter the list-taker shall, within thirty days after the time for listing said taxes, make out in a book kept or provided for that purpose an alphabetical list of the persons, companies or corporations or owners of property who so have made their returns in the same manner as tax lists are made out for State and county purposes.

Collection by distress.

SEC. 21. That if any person liable for taxes on the subjects directed to be listed shall fail to pay them within the year prescribed for collection, the collector shall forthwith proceed to collect the same by distress and sale, all sales to be made on personal property, after public advertisement for ten days; on realty after public advertisement for twenty days in said town. The said collector shall have the right to sell any property situate outside the town, within the limits of Hertford County, belonging to a delinquent taxpayer of the town, in order to enforce the payment of taxes due the town by said delinquent.

Sale of outside property.

Moneys paid into town treasury.

SEC. 22. That all moneys arising from taxes, penalties, and forfeitures, or any other source whatsoever, shall be paid into the town treasury, for the town's use, and be its property, where they shall remain until properly appropriated by a majority of the board of commissioners in specific terms for the benefit and for the use of the town and the people resident therein, unless expressly provided for by this act.

Pay of commissioners.

SEC. 23. That the board of commissioners shall receive for their services not more than twenty-five dollars per year.

Violation of ordinance misdemeanor.

Punishment.

SEC. 24. That the violation of any of the ordinances of the town of Winton passed by the board of commissioners shall be deemed a misdemeanor and shall be punishable by a fine not to exceed fifty dollars or imprisonment for a period of thirty days.

Impeachment of officers.

SEC. 25. That the right to impeach any officer of the town of Winton for malfeasance, misfeasance or nonfeasance of any office for any offense that would disqualify any officer, shall rest with the board of commissioners, and any officer shall not be impeached without a majority of the commissioners so vote.

Mayor chief executive.

To preside at meeting.

To vote only on ties.

Enforcement of laws.

Special policemen.
Statements of condition of town.
Recommendations to commissioners.

SEC. 26. The mayor shall be the chief executive of the town; he shall preside at all meetings of the board of commissioners, but shall have no vote except in case of a tie; he shall be active in enforcing the laws and ordinances of the town; he shall have the power and authority to appoint special policemen for any occasion; he shall, when it may be deemed expedient, issue a general statement of the condition of the town, relative to its government and improvement, and shall from time to time recommend to the board of commissioners all such measures connected with the police, security, health, and cleanliness of the town as he may deem expedient. He shall recommend all needed apparatus and improvements to the board of commissioners; he shall countersign all orders to the town; he shall have full

Power to administer oaths.

power and authority to administer oaths and affirmations; that the mayor shall receive for his services only such amount as the board of commissioners may allow; that he shall hold office for the period of two years unless removed for cause.

SEC. 27. That the mayor of the town of Winton is hereby constituted an inferior court with jurisdiction over all offenses arising from the violation of the provisions of this act, or of all violations of ordinances, by-laws, rules, and regulations of the board of commissioners made in pursuance of this act, within the corporate limits of said town; with jurisdiction, power, and authority which is now or may be given to the justice of the peace for the trial and determination of all criminal cases arising within the limits of the said town; and to this end he may issue warrants or other processes, and issue a warrant for the arrest of the defendant or defendants, and have the party or parties brought before him, hear, determine, and give judgment thereon, impose fines and imprisonment, and impose penalties and forfeitures, as the case may be, and direct the enforcement thereof, subject to the limitations of this act as to the amount of such penalties or punishment, with the right to appeal from the judgment or sentence of the mayor to the Superior Court of Hertford County, under the same provisions of law as govern an appeal from justices of the peace; that the mayor shall issue his precepts to the chief of police, assistant policemen, sheriff, or other lawful officer of Hertford County, and who shall have power to execute the same anywhere in Hertford County. That he shall well, truly, and faithfully keep a record of all his precepts and judicial proceedings.

SEC. 28. That the mayor shall be allowed such costs as are allowed by law in similar proceedings before justices of the peace as near as may be: *Provided, however*, that if the said mayor is allowed a salary by the board of commissioners, then all costs recovered and collected shall be turned over by the officer collecting the same, within ten days after said collection, to the town treasurer.

SEC. 29. That all penalties and costs which may be recovered before the mayor shall be kept in a book of records and an itemized statement of the same shall be furnished the clerk at the end of each fiscal year.

SEC. 30. That it shall be the duty of the clerk of the town to be present at all meetings of the board of commissioners; to keep and record in a book, provided therefor, regular and fair minutes of the proceedings of the board of commissioners, and when required, of the mayor's court; to issue all licenses and to collect all license taxes; to preserve all books, records, documents, papers, and other articles committed to his care or custody during his term of office, and deliver them in good order and condition to his successor, and generally to perform all such other duties

Salary.
Term of office.

Inferior court.
Jurisdiction.

Issue of process.

Punishments
imposed.

Right of appeal.

Officers to whom
process shall issue.

Execution of
process.

Record of pro-
ceedings.

Costs.

Proviso: costs to
use of town.

Record of costs
and penalties.

Itemized state-
ments.

Duties of town
clerk.

Salary.	as may be prescribed by this charter or by the board of commissioners. He shall receive as his compensation such amount as the board of commissioners shall decide that his salary should be:
Treasurer to receive and keep moneys and securities.	<p>SEC. 31. It shall be the duty of the treasurer of the town to call on all persons who may have in their hands any moneys or securities belonging to the town of Winton which ought to be paid or delivered into the treasury, to receive and safely keep the same for the use of the town, and to disburse funds on the appropriations of the board of commissioners, according to such orders as may be duly drawn on him, when countersigned by the mayor; he shall keep in a book provided for that purpose a correct and fair account of all moneys received and disbursed by him, together with the source from which they came and the purposes for which they were appropriated. During his continuance therein he shall perform all duties faithfully which are lawfully imposed upon him as town treasurer, and at the expiration of his term shall deliver to his successor all the moneys, securities, books of records, and other property entrusted to him for use, safe-keeping, disbursing, or otherwise. He shall render an annual statement of the financial condition of the town by advertising the same at one public place in said town, a statement of the receipts and disbursements, together with an account of all moneys on hand belonging to the town. That all warrants drawn on the treasurer issued on vouchers given therefor, by the board of commissioners, shall be signed by the mayor, and shall state the purpose for which the money was appropriated and the fund out of which the same is to be paid. That no claim against the town shall be paid until it is approved by the board of commissioners and a voucher as provided in this section is issued. That the town treasurer shall receive as his compensation such amount as the board of commissioners shall allow.</p>
Disbursements.	
Accounts.	
Settlement with successor.	
Annual statements.	
Vouchers.	
Approval of claims.	
Pay of treasurer.	
Duties of chief of police and policemen.	
Arrests without warrant.	
Precepts of mayor.	<p>SEC. 32. That it shall be the duty of the chief of police and any assistant policeman to preserve the peace of the town by suppressing disturbances and apprehending all offenders; that they may arrest all disturbers of the peace and those violating the ordinances when committed in their presence or when it is apparent to them that the offenders will escape unless arrested at once; that the chief of police and assistant policemen shall serve and execute the precepts of the mayor when directed; they shall have the power to summons as many persons as may be necessary to assist them in the performance of their duties; the chief of police shall pay over to the town treasurer all the money that he may collect, to and for the use of the town, at least once every month. He shall act as supervisor of the streets of the town, and he shall be vested with the rights as allowed constables within the corporate limits of the town and one mile beyond, with such other duties as are prescribed by</p>
Power to summon assistance.	
Monthly settlements.	
Supervisor of streets.	
Rights as constable.	

this charter, or by law otherwise prescribed not inconsistent with this act. He shall receive as compensation for his services such salary as the board of commissioners may allow.

SEC. 33. That the tax collector of said town shall be under the control and direction of the board of commissioners; he shall give a bond as specified in this act for the diligent and faithful collection of taxes due the town of Winton and for the proper accounting for and paying over to the town treasurer of all moneys that come into his hands as tax collector of the town of Winton. He shall receive as his compensation such salary as the town commissioners may allow, not to exceed five (5) per cent.

Tax collector.
Official bond.

SEC. 34. That it shall be the duty of the sanitary officer to inspect all public places which might endanger the health of the people, and to report as often as is deemed expedient to the board of commissioners, and make recommendations to the board of commissioners, in regard to the health of the town. Said officer shall receive as his compensation such amount as the board of commissioners may allow.

Duties of sanitary officer.
Reports and recommendations.
Salary.

SEC. 35. All other offices created by the board of commissioners shall be governed by them as to duties and salaries of such offices so created.

Other officers.

SEC. 36. That each of the following officers shall give a bond in such sum as the board of commissioners shall deem sufficient for such officers: chief of police, town treasurer, and town tax collector.

Officers to give bond.

SEC. 37. That the board of commissioners shall have power to take such methods for the enforcement of all ordinances of the town, all by-laws, rules, and regulations as the board of commissioners, and of all the laws provided for in this act, and shall have the power to put to work and keep at work on the streets of said town any person or persons who may fail to pay any tax or fine, penalty or forfeiture which may be imposed on said person or persons for the violation of any ordinance, by-law, rule or regulation of said town, and the said board of commissioners shall have authority by their ordinances and by-laws to confine, control, or manage such person until the said fines and penalties, together with the costs thereof, are fully paid and satisfied, under such rates for labor and board as deemed just and reasonable by the board of commissioners.

Enforcement of ordinances.

Chain-gang.

Rates for labor and board.

SEC. 38. That all questions arising in the administration of the government of the town of Winton and not provided for in this act, shall be governed by the laws of the State in such cases made and provided.

Application of general law.

SEC. 39. That no levy shall be made on the property belonging to the town.

No levy on town property.

SEC. 40. That any officer of the town of Winton who shall, on demand, fail to turn over to his successor in office the property,

Officers guilty of misdemeanor.

Punishment.	books, moneys or other effects of said town shall be deemed guilty of a misdemeanor and shall be fined or imprisoned in the discretion of the court.
Records open for inspection.	SEC. 41. That all books, records, and proceedings of the said town shall be open to the citizens of the town at all times for inspection.
Taxes validated.	SEC. 42. That any and all taxes that have been levied by the board of commissioners of the town of Winton under the former charter, and which have been or may be collected under the former charter of the town of Winton, are hereby validated.
Right to borrow money.	SEC. 43. That the board of commissioners shall have the right to borrow such sums as are sufficient to meet and take care of the running expenses of the town.
Light and water systems.	SEC. 44. That the town of Winton may own and maintain its own light and waterworks system to furnish water for fire and other purposes, and light to the town and its citizens, but shall in no case be liable for damages for a failure to furnish a sufficient supply of either water or light.
Liability devolved.	SEC. 45. That the board of commissioners shall have the right to acquire and hold right of way, water rights and other property, within and without the town limits.
Rights of way and water rights.	SEC. 46. That the board of commissioners shall have the management and control of the waterworks and light system in charge, and fix such uniform rates for water and light as is deemed best. That said board of commissioners shall fix the times when said water and light rents shall become due and payable, and in case such rent is not paid within ten days after it becomes due and payable, the same may at any time thereafter be collected either by suit in the name of the town of Winton, or by the collector of taxes for the town. That upon the failure of the owner of property for which water or light is furnished under the rules and regulations of the said board of commissioners to pay said water or light rents when due, then the board of commissioners, or its agents or employees, may cut off the water or light from the said property; and when so cut off it shall be unlawful for any person, firm, or corporation, other than the said board of commissioners or its agents or employees to turn on said water or light to said property, or to use the same in connection with the said property, without first having paid said water or light rent and obtained permission to turn on said water or light.
Control of water and light systems.	
Rates.	
Collection of rents.	
Discontinuance of supply.	
Statements of receipts.	SEC. 47. That it shall be the duty of the said town clerk or treasurer to keep a separate statement and account of the money received by the town from the water works and light system, and it shall be the duty of the said town clerk or treasurer to give preference to the waterworks and light system over the other departments of the town in such funds, and to provide for the proper upkeep of the waterworks and light system and an
Preference in expenditures.	

amount necessary for the enlargement of the waterworks and light system before turning over to the other departments the money so received.

SEC. 48. That the officers of said town, until Tuesday after the first Monday in May, one thousand nine hundred and twenty-three, shall be vested in the following qualified voters of said town, who shall act in the following offices, to wit: Mayor, J. W. Boone; commissioners, T. V. Jenkins, W. A. Sykes, and W. M. Jordan; chief of police, P. H. Taylor; and they shall act as such officers until their successors are elected and qualified. Officers named.

SEC. 49. That chapter eighty-two, Private Laws of one thousand eight hundred and seventy-three and one thousand eight hundred and seventy-four of North Carolina, and all laws and clauses of laws in conflict herewith are hereby repealed. Repealing clause.

SEC. 50. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December. A.D. 1921.

CHAPTER 17

AN ACT TO VALIDATE A BOND ISSUE OF BAILEY WHITE SCHOOL DISTRICT NUMBER 2, IN NASH COUNTY.

Whereas at a special election held in the Bailey White School District Number Two of Nash County on May tenth, one thousand nine hundred and twenty-one, a majority of the qualified voters of said district voted in favor of the issuance of bonds of said district in an amount not exceeding eight thousand dollars (\$8,000), for the purpose of buying an adequate building to be used as a dormitory for the teachers of said district, and in favor of levying a special tax for the payment of the principal and interest of said bonds, under the provisions of an act of the General Assembly of North Carolina entitled "An act to authorize an issue of bonds and the levy of a special tax to provide funds for the purchase of certain property for the use of the public schools of Bailey White School District Number Two, Nash County," ratified March fourth, one thousand nine hundred and twenty-one; and, Preamble: election in favor of bonds.

Whereas the said act ratified March fourth, one thousand nine hundred and twenty-one, erroneously uses the words "board of trustees," when the intention was to refer to the school committee of said school district: Now, therefore, Preamble: reference corrected.

The General Assembly of North Carolina do enact:

SECTION 1. The said election held in the Bailey White School District Number Two of Nash County, on May thirty-first, one thousand nine hundred and twenty-one, and all acts and pro- Election and proceedings legalized and validated.

- ceedings done or taken in or about the calling, holding, or determination of the result of said election, or in or about the registration of voters for said election, are hereby legalized and validated. The school committee of Bailey White School District Number Two of Nash County is hereby authorized to issue said bonds and the board of county commissioners of Nash County is hereby authorized and directed to levy an annual tax for the purpose of paying the principal and interest of said bonds in accordance with the proposition adopted by the voters of said election and in accordance with the provisions of said act ratified March fourth, one thousand nine hundred and twenty-one; and no further election shall be necessary in order to authorize the issuance of said bonds or the levying of said tax.
- School committee to issue bonds.** **Tax to be levied.** **School committee.** **Repealing clause.**
- SEC. 2. The said act ratified March twenty-fourth, one thousand nine hundred and twenty-one, is hereby amended by striking out the words "board of trustees" wherever they occur in said act and inserting in lieu thereof the words "school committee."
- SEC. 3. All acts or parts of acts inconsistent with this act are hereby repealed.
- SEC. 4. This act shall be in force from and after its ratification.
- Ratified this the 14th day of December, A.D. 1921.

CHAPTER 18

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF RUTHERFORD COLLEGE IN BURKE COUNTY.

The General Assembly of North Carolina do enact:

- Corporate limits.**
- SECTION 1. That the corporate limits of the town of Rutherford College be and the same is hereby extended as follows, to wit: By line commencing on the southwest corner of the present corporate line and running so as to enclose the land of J. F. Griffin and all the land bought of J. E. Coutler by Rev. Jim H. Green and M. T. Hinshaw lying on the west side of the Rutherford College, Lenoir highway. Then commencing on the northwest corner of the Connelly Springs corporate limits and running east with the Connelly Springs line to T. E. Conrad's southeast corner, then northwest to the southeast corner of Mrs. M. E. Chapman land, it being the southeast corner of the present limits of the town of Rutherford College.
- SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.
- SEC. 3. That this act be in effect from and after its ratification.
- Ratified this the 14th day of December, A.D. 1921.

CHAPTER 19

AN ACT TO AUTHORIZE THE CITY OF GOLDSBORO TO
ISSUE BONDS FOR NECESSARY EXPENSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of aldermen of the city of Goldsboro is hereby authorized to issue bonds of said city in an aggregate principal amount not exceeding sixty-five thousand dollars (\$65,000), and to appropriate and apply the proceeds of the sale of said bonds for the purpose of paying any necessary expenses of said city, including current expenses. The said bonds shall be issued pursuant to and in accordance with the provisions of the Municipal Finance Act, one thousand nine hundred and twenty-one, except those provisions which relate to or affect the maximum period within which bonds shall mature. The said bonds shall mature within a period of not exceeding fifteen years from the date of said bonds.

Bond issue
authorized.

Appropriation of
proceeds.

Issuance of bonds.

Maturity.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 20

AN ACT TO VALIDATE A BOND ISSUE OF BESSEMER CITY
GRADED SCHOOL DISTRICT IN GASTON COUNTY.

Whereas at a special election held on July nineteenth, one thousand nine hundred and twenty-one, in Bessemer City Graded School District (which was created by chapter two hundred and forty-two of the Private Laws of one thousand nine hundred and thirteen of North Carolina), a majority of the qualified voters of said district voted in favor of the issuance of not exceeding thirty thousand dollars of serial bonds of Bessemer City Graded School District, and levying a sufficient annual tax to pay the same, for the purpose of erecting, enlarging, and equipping school buildings in said district, and acquiring land for school buildings in said district, under the provisions of chapter eighty-seven of the Public Laws of one thousand nine hundred and twenty of North Carolina: Now, therefore,

Preamble: election
in favor of bond
issue.

The General Assembly of North Carolina do enact:

SECTION 1. The said election held in Bessemer City Graded School District on July nineteenth, one thousand nine hundred and twenty-one, and all acts and proceedings done or taken in or

Election validated.

Issue of bonds
authorized.

Special tax.

Repealing clause.

about the calling, holding or determination of the result of said election, or in or about the registration of voters for said election, are hereby legalized and validated. The board of trustees of Bessemer City Graded School District is hereby authorized to issue said bonds, and the board of county commissioners of Gaston County is hereby authorized and directed to levy annually a special tax *ad valorem* on all taxable property in said district for the purpose of paying the principal and interest of said bonds, as such principal and interest become due, in accordance with the proposition adopted by the voters at said election and in accordance with the provisions of chapter eighty-seven of the Public Laws of one thousand nine hundred and twenty of North Carolina; and no further election shall be necessary in order to authorize the issuance of said bonds or the levying of said taxes.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 21

AN ACT TO EXTEND THE CORPORATE LIMITS OF THE TOWN OF HASSELL, MARTIN COUNTY.

The General Assembly of North Carolina do enact:

Corporate limits.

SECTION 1. That section two of chapter ninety-six of the Private Laws, one thousand nine hundred and three, entitled "An act to incorporate the town of Hassell, in the county of Martin," be amended so as to read as follows: "That the corporate limits and bounds of said town shall be as follows: Beginning in the center of the Dogville cross roads in Hamilton Township and running along the Dogville road, south four degrees and thirty minutes east one thousand eight hundred and fifty-four feet to the road leading toward Robersonville, thence along said road, north sixty-eight degrees and thirty minutes west two thousand three hundred and ten feet to the line of the property of the East Carolina Land and Improvement Company, thence along the lines of the property of the said company, south three degrees west one thousand one hundred and ten feet and north sixty-nine degrees west one thousand three hundred and ten feet to a stake, thence north thirty-seven degrees west one thousand two hundred and sixty feet to the corner of the graded school lot in the Tarboro road, thence along the lines of the graded school lot north four degrees west two hundred and eighty-five feet and north eighty-nine degrees east three hundred and eighty-three feet to a stake, thence north four degrees and

thirty minutes east seven hundred and ninety feet to a stake (formerly 'a large oak'), thence south seventy-six degrees and thirty minutes east one thousand three hundred and twenty feet to the Scotland Neck and Kinston branch of the Atlantic Coast Line Railroad, thence along the said railroad, northerly, five hundred and forty-seven feet, thence south seventy-three degrees east one thousand eight hundred and fifty-four feet to the beginning."

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 22

AN ACT TO VALIDATE A BOND ISSUE OF THE TOWN OF EAST SPENCER IN ROWAN COUNTY.

Whereas at a special election held in the town of East Spencer in Rowan County on July twelfth, one thousand nine hundred and twenty-one, a majority of the qualified voters of said town approved an ordinance passed by the board of aldermen of said town on May twenty-third, one thousand nine hundred and twenty-one, providing for the issuance of sixty thousand dollars of bonds of said town for school purposes, and providing that a tax sufficient to pay the principal and interest of said bonds should be annually levied and collected as provided by the Municipal Finance Act (chapter fifty-six, Consolidated Statutes of North Carolina), and also approved the issuance of said bonds and the levying of said tax: Now, therefore,

Preamble: election
authorizing bond
issue.

The General Assembly of North Carolina do enact:

SECTION 1. The said election held in the town of East Spencer on July twelfth, one thousand nine hundred and twenty-one, and all acts and proceedings done or taken in or about the calling, holding or determination of the result of said election, or in or about the registration of voters for said election, are hereby legalized and validated, and the board of aldermen of said town are hereby authorized to issue said bonds and to levy annually a special tax in accordance with the proposition adopted by the voters at said election and in accordance with the provisions of the Municipal Finance Act as it existed on the date of said election; and no further election shall be necessary in order to authorize the issuance of said bonds or the levying of said tax.

Election.

Validated.
Bond issue
authorized.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 23

AN ACT TO VALIDATE AN ELECTION HELD IN ELLENBORO SCHOOL DISTRICT NO. 6-1, IN RUTHERFORD COUNTY, TO AUTHORIZE AN ISSUE OF BONDS.

The General Assembly of North Carolina do enact:

Election validated.

SECTION 1. That the election held in Ellenboro School District, Number Six-One, in Rutherford County, on the tenth day of September, one thousand nine hundred and twenty-one, to authorize an issue of bonds of the said school district, to an amount not exceeding twenty-five thousand dollars par value, and to mature in not exceeding twenty years from their date, for the purpose of erecting a schoolhouse in said school district, be, and the same is hereby validated, and the said bonds may be delivered accordingly pursuant to any sale thereof, public or private heretofore or hereafter made by the board of education of Rutherford County, the terms of said bonds, within the said limits above mentioned, being fixed by an order of the board of county commissioners of Rutherford County heretofore or hereafter adopted.

Delivery of bonds authorized.

SEC. 2. This act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 24

AN ACT TO RATIFY BONDS OF THE CITY OF CHARLOTTE.

The General Assembly of North Carolina do enact:

Proceedings validated.

SECTION 1. That all proceedings taken by the board of commissioners of the city of Charlotte for the issuance of four hundred and fifty thousand dollars, five and one-fourth per cent, water and sewer bonds, dated August one, one thousand nine hundred and twenty-one, being a consolidation of three hundred thousand dollars waterworks extension, and one hundred and fifty thousand dollars sewerage extension bonds, authorized by ordinances passed October tenth, one thousand nine hundred and twenty-one, be and are ratified, and that notwithstanding the fact that said ordinances were published only once and were not published for four successive weeks as required by the Municipal Finance Act, said bonds shall be the valid and binding obligations of the city of Charlotte after they shall have been duly executed and payment of the purchase price, being more than par and accrued interest, shall have been paid to the city of Charlotte.

Obligation of bonds.

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 25

AN ACT TO VALIDATE AN ELECTION HELD IN SPINDALE SCHOOL DISTRICT NUMBER 1-6, IN RUTHERFORD COUNTY, ON THE 15TH DAY OF OCTOBER, 1921, TO AUTHORIZE AN ISSUE OF SCHOOLHOUSE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the election held in Spindale School District, Election validated. Number One-Six, in Rutherford County, on the fifteenth day of October, one thousand nine hundred and twenty-one, to authorize an issue of bonds of the said school district to an amount not exceeding twenty thousand dollars par value, and to mature in not exceeding twenty years from their date, to supplement an issue of nine thousand dollars of bonds voted in said school district on the twentieth day of December, one thousand nine hundred and nineteen, for the purpose of erecting a schoolhouse in said school district, be, and the same is hereby validated, and the said bonds may be delivered accordingly pursuant to any Delivery of bonds authorized. sale thereof, public or private, heretofore or hereafter made by the board of education of Rutherford County, the terms of said bonds, within the said limits above mentioned, being fixed by an order of the board of county commissioners of Rutherford County heretofore or hereafter adopted.

SEC. 2. This act shall be in force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 26

AN ACT TO VALIDATE A SPECIAL SCHOOL-TAX ELECTION HELD ON THE 12TH DAY OF NOVEMBER, 1921, IN OAKLAND CONSOLIDATED SCHOOL DISTRICT IN RUTHERFORD COUNTY.

Whereas on the twenty-sixth day of July, one thousand nine hundred and twenty, by a vote of the majority of the qualified voters of Frog Level Special School-tax District, numbered one-three, and of Mountain View Special School-tax District, numbered one-one and one-half, both of said school districts being located in Rutherford County, there was constituted and formed a consolidated school district known and designated as Oakland Consolidated School District in Rutherford County, and there was a special school-tax levy of not exceeding twenty cents on the one hundred dollars of valuation of property in that part of said consolidated school district, which formerly constituted Frog Level Special School-tax District, and a special school-tax levy Preamble: consolidation of school districts. Special tax.

of not exceeding five cents on the one hundred dollars valuation of property in that part of said consolidated school district which formerly constituted Mountain View Special School-tax District; and,

Preamble: election
and result.

Whereas on the twelfth day of November, one thousand nine hundred and twenty-one, upon petition duly made in accordance with law and by virtue of an order duly made by the board of commissioners of Rutherford County upon the request of the board of education of Rutherford County, as provided by law, an election was held in said Oakland Consolidated School District to ascertain whether there shall be levied a tax of not more than twenty-five cents on the one hundred dollars valuation of property in said consolidated school district, and at said election, out of a registration of one hundred and twenty qualified voters, eighty-two electors voted in favor of the levy of said tax; and,

Preamble: equali-
zation of taxes.

Whereas it was the intention of the said election held upon said twelfth day of November, one thousand nine hundred and twenty-one, to make the said levy of not exceeding twenty-five cents on the one hundred dollars valuation of property in said consolidated district in lieu of the said theretofore existing taxes of five cents on the one hundred dollars valuation of property in Mountain View District, and twenty cents on the one hundred dollars valuation of property in Frog Level District, and to make the special school-tax levy uniform over the whole of said consolidated school district: Now, therefore,

The General Assembly of North Carolina do enact:

Election validated.

SECTION 1. That the said election held in Oakland Consolidated School District on the twelfth day of November, one thousand nine hundred and twenty-one, be and the same is hereby in all respects validated, and that the board of commissioners of Rutherford County shall hereafter, in obedience to the result of said election to that effect, at the time of levying taxes for

Tax to be levied.

Rutherford County, levy a special tax of not exceeding twenty-five cents on the one hundred dollars valuation of property in Oakland Consolidated School District in lieu of the special taxes heretofore voted and levied upon property in the Frog Level Special-tax District and the Mountain View Special School-tax District, which said special school-tax districts are the constituent members of the said Oakland Consolidated School District, and the said tax levy shall be the only and full special school-tax levy for said Oakland Consolidated School District, or the special school-tax districts which formerly existed within the territory composing said Oakland Consolidated School District.

Sale tax levy.

SEC. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 27

AN ACT TO VALIDATE A BOND ISSUE OF THE BOARD OF TRUSTEES OF HENDERSON GRADED SCHOOLS IN VANCE COUNTY.

Whereas at a special election held in Henderson Township in Vance County on December fourteenth, one thousand nine hundred and twenty, a majority of the qualified voters of said township voted in favor of the issuance of not exceeding one hundred thousand dollars (\$100,000) of bonds of the board of trustees of Henderson Graded School (which board was incorporated by chapter ninety-one of the Private Laws of one thousand nine hundred and one of the State of North Carolina), and the levying of a special tax to pay said bonds, under the provisions of chapter sixty-five of the Private Laws of one thousand nine hundred and twenty of North Carolina, entitled "An act to further amend chapter ninety-one, Private Laws of one thousand nine hundred and one, so as to authorize the trustees of Henderson Graded Schools to issue bonds for the erection, furnishing and equipping additional graded school buildings in the town of Henderson and Henderson Township, Vance County," ratified August twenty-fifth, one thousand nine hundred and twenty; and

Preamble: election in favor of bond issue validated.

Whereas the board of trustees of Henderson Graded Schools is about to issue said bonds: Now, therefore,

Preamble: issue of bonds contemplated.

The General Assembly of North Carolina do enact:

SECTION 1. The said election held in Henderson Township in Vance County on December fourteenth, one thousand nine hundred and twenty, and all acts and proceedings done or taken in or about the calling, holding, or determination of the result of said election, or in or about the registration of voters for said election, and also all acts and proceedings thereafter done and taken relating to the issuance of one hundred thousand dollars (\$100,000) of bonds pursuant to said election, including the resolution adopted by the board of trustees of Henderson Graded School on August seventeenth, one thousand nine hundred and twenty-one, providing for the issuance of said bonds, and the resolution adopted November twenty-third, one thousand nine hundred and twenty-one, awarding said bonds at the price of one hundred and three thousand dollars (\$103,000) flat (without interest), are hereby legalized and validated. The chairman and secretary of the board of trustees of Henderson Graded School are hereby authorized to execute and deliver said bonds to the purchaser thereof upon receipt of said purchase price; and the board of commissioners of Vance County are hereby authorized and directed to levy an annual tax for the purpose of paying

Election validated.

Acts and proceedings legalized.

Execution and delivery authorized.

the principal and interest of said bonds, in accordance with the provisions of said chapter sixty-five of the Private Laws of one thousand nine hundred and twenty.

Repeal.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 28

AN ACT RELATING TO LOCAL IMPROVEMENTS IN THE TOWN OF WAYNESVILLE.

The General Assembly of North Carolina do enact:

Definitions: street improvements.

SECTION 1. "Street improvements" includes the grading, re-grading, paving, repaving, or otherwise hard-surfacing of the public streets and alleys, and the construction, reconstruction, and altering of curbs, gutters, and drains in public streets and alleys;

Sidewalk improvements.

"Side-walk improvements" includes the grading, construction, reconstruction, and altering of side-walks in public streets or alleys, and may include curbing and guttering;

Local improvements.

"Local improvements" means any work undertaken under the provisions of this act, including "street improvements, side-walk improvements, or the laying of sewer lines," the cost of which is to be specially assessed, in whole or in part, upon property abutting directly on the street where such work is done;

Frontage.

"Frontage," when used in reference to a lot or parcel of land, abutting directly on a local improvement, means that side or limit of the lot or parcel of land which abuts directly on the street where such local improvement is made.

Power given aldermen.

SEC. 2. The board of aldermen of the town of Waynesville shall have power to cause local improvements to be made and to defray the expense of such improvements by local assessments, by general taxation, and by borrowing as herein provided.

Resolution for local improvements.

SEC. 3. Upon determining to make any local improvements, the board of aldermen shall pass a resolution to that effect, which resolution shall be published. Such resolution shall designate by general description the improvements to be made and the street or streets, or parts thereof, whereon the work is to be effected, and the proportion of the cost thereof to be assessed upon abutting property, and the terms and manner of payment. If the resolutions shall provide for a street or side-walk improvement, it may, but need not direct that the owners of all property abutting on the improvement shall connect their

Description of work.

Proportion of assessments. Terms of assessment.

Water and sewer connections.

several premises with water mains and sewer pipes located in the street adjacent to their several premises in the manner prescribed in such resolutions, and that unless such owners shall cause such connection to be made on or before a day specified in such resolution, the board of aldermen will cause the same to be made.

SEC. 4. The board of aldermen shall have power to determine the character and type of construction and of material to be used in making local improvement, and whether the work shall be done by the forces of the municipality or by contract.

Character,
material and
method of work.

SEC. 5. Two-thirds of the total cost of a street or side-walk improvement and sewer lines made by a municipality, exclusive of so much of the cost as is incurred at street intersections, shall be specially assessed upon the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontages thereon, by an equal rate per foot of such frontage, and the remainder of such cost shall be borne by the municipality at large. No lands in the municipality shall be exempt from local assessment.

Assessments on
abutting property.

Assessments based
on frontage.

No exemptions.

SEC. 6. Upon the completion of any local improvement the board of aldermen shall compute and ascertain the total cost thereof. In the total cost shall be included the interest paid, or to be paid, on notes or certificates of indebtedness issued by the municipality to pay the expense of such improvement pursuant to section.....of this act incident to the improvement and the assessment therefor. The board of aldermen must thereupon make an assessment of said total cost pursuant to the provisions of section.....of this act, and for that purpose must make out an assessment roll in which must be entered the names of the persons assessed as far as they can ascertain the same, and the amount assessed against them respectively, with a brief description of the lots or parcels of land assessed. Immediately after such assessment roll has been completed the board of aldermen shall cause it to be deposited in the office of the clerk of the municipality for inspection by parties interested, and shall cause to be published a notice of the completion of the assessment roll, setting forth a description in general terms of the local improvement, and the time fixed for the meeting of the board of aldermen for the hearing of allegations and objections in respect of the special assessment, such meeting not to be earlier than ten days from the first publication or posting of said notice. Any number of assessment rolls may be included in one notice. At the time so appointed, or at some other time to which it may adjourn, for that purpose, the board of aldermen or a committee thereof must hear the allegations and objections of all persons interested who appear, and may make proof in relation thereto. The board of aldermen may thereupon correct such assessment roll, and either confirm the same or may set it aside,

Ascertainment of
cost.

Interest included.

Assessment roll.

Deposit for
inspection.

Notice to be
given.

Time for hearing.

Hearing.

Correction of
assessments.

Record of confirmation.	and provide for a new assessment. Whenever the board of aldermen shall confirm an assessment for a local improvement the clerk of the municipality shall enter on the minutes of the board of aldermen the date, hour, minutes, and time of such confirmation, and from the time of such confirmation the assessments embraced in the assessment roll shall be a lien on the real property against which the same are assessed, superior to all other liens and encumbrances. After the roll is confirmed a copy of the same must be delivered to the tax collector or other officer charged with the duty of collecting taxes. If a person assessed is dissatisfied with the amount of the said charge, he may give notice within ten days after such confirmation that he takes an appeal to the next term of Superior Court of Haywood County, and shall within five days thereafter serve a statement of facts upon which he bases his appeal, but said appeal shall not delay or stop the said improvements. The said appeal shall at the said term of court be tried as other actions at law. The board of aldermen may correct, cancel, or remit any assessment for a local improvement, and may remit, cancel, or adjust the interest or penalties on any such assessment. The board of aldermen has the power, when in its judgment there is any irregularity, omission, error, or lack of jurisdiction in any of the proceedings relating thereto, to set aside the whole of the local assessment made by it, and thereupon to make reassessment. In such case there shall be included as a part of the costs of the public improvements involved, all interest paid or accrued on notes or certificates of indebtedness or assessment bonds issued by the municipality to pay the expenses of such improvement, and the proceeding shall be in all respects as in cases of local assessment, and such reassessment shall have the same valid and binding force as if it had originally been properly made.
Lien to attach.	
Delivery of roll.	
Right of appeal.	
Statement on appeal. Appeal not to delay work. Correction, cancellation or remission of assessment.	
Assessment set aside.	
Reassessment.	
Interest included in cost.	
Procedure.	
Payment of assessments.	SEC. 7. The property owner shall have the option and privilege of paying for said improvements hereinbefore provided for in cash, or if they should so elect, they shall have the option and privilege of paying said assessments in not less than three, nor more than ten, equal annual installments as may have been determined by the board of aldermen in the resolution authorizing such improvement. Said installments shall bear interest at the rate of six per centum per annum from the date of the confirmation of the assessment roll, and in case of the failure or neglect of any property owner to pay said installment when the same shall become due and payable, then and in that event all of said installments remaining unpaid shall at once become due and payable, and said property and franchises shall be sold by said municipality under the same rules, regulations, rights of redemption and savings as are now prescribed by law for the sale of
Interest on installments.	
Maturity of assessments.	
Sale of property.	

land for unpaid taxes. The whole assessment may be paid at the time of paying any installment by payment of the principal and all interest accrued to that date. Final payment.

SEC. 8. That after the expiration of twenty days from the confirmation of an assessment roll the tax collector, or such other officer of the municipality as the governing body may direct so to do, shall cause to be published in the newspaper published in the municipality, or if there be no such newspaper, shall cause to be posted in at least three public places therein, a notice that any assessment contained in said assessment roll, naming and describing it, may be paid to him at any time before the expiration of thirty days from the first publication of said notice. In the event said assessment be not paid within said time the same shall bear interest at the rate of six per cent per annum from the date of the confirmation of the assessment roll and shall become due and payable on the date on which taxes are payable: *Provided*, that where an assessment is divided into installments one installment shall become due and payable each year on the date on which taxes are due and payable. If any assessment or installment thereof is not paid when due, it shall be subject to the same penalties as are now, or may be, prescribed for unpaid taxes, in addition to the interest herein provided for. Notice for payment of assessment.

SEC. 9. That the board of aldermen may in their discretion allow a two per centum discount for payment in cash of the whole assessment, if paid within thirty days after the assessment roll is placed in the hands of the tax collector. Interest after thirty days.

SEC. 10. At any time before the cost of any local improvement shall be computed and ascertained as provided in section eight of this act, the board of aldermen may, from time to time, by resolution, authorize the treasurer to borrow money to the extent required to pay the cost of any such improvement, or to repay any money borrowed under this section with interest thereon. The resolution authorizing any such loan or loans may provide for the issue of notes or certificates of indebtedness of the municipality, or both, payable either on demand or at a fixed time, not more than twelve months from the date thereof, and bearing interest not exceeding six per centum per annum. Said notes or certificates may be sold at public or private sale, or pledged as security for temporary loans, as the governing body may by such resolution direct. Any temporary indebtedness incurred under the authority of this section, with the interest thereon, may be paid out of moneys raised by the issue and sale of "local improvement bonds" to be issued and sold as herein-after provided, or may be included in the annual tax levy. Proviso: annual installments.

SEC. 11. After the board of aldermen of said town of Waynesville shall have levied said assessment against the property abutting upon said street or streets, the city clerk or person Penalties for non-payment.

Power to borrow money.

Notes or certificates of indebtedness.

Maturity.

Interest.

Sale or pledge of notes.

Fund for payment.

Special assessment book.

designated, shall have prepared from such assessment roll and delivered to the tax collector or person designated, a well bound book styled "Special Assessment Book," which shall be so ruled as to conveniently show:

Local improve-
ment bonds.

SEC. 12. Whenever an assessment for any local improvement shall have been confirmed, the board of aldermen may by resolution direct that the amount of the expense of such improvement shall be raised by the issuance of serial bonds of the municipality to be known as "Local Improvement Bonds." Such bonds shall be payable at such time or times not exceeding fifteen years from their date, as the board of aldermen shall determine. There shall be raised annually by tax upon all the taxable property of the municipality, after the issuance of any such bonds, a sum sufficient to meet and pay one-third the interest thereon, as the same becomes due: *Provided, however*, that if such bonds be made payable in annual installments substantially equal in amount, the first of which installments shall be payable within two years from the date of such bonds and the last within fifteen years of such date, the board of aldermen authorizing such bonds, in lieu of providing for a sinking fund to meet the principal of such bonds, shall cause to be raised by taxation in each year in which an installment or principal shall be payable, or in the next preceding year, an amount sufficient to meet one-third said installment in addition to one-third the annual tax during the life of the bonds to provide for the payment of the interest accruing thereon. Two or more improvements may be included in a single issue of local improvement bonds.

Proviso: tax for
payment of in-
stallments.

Bond for separate
improvements.

Sale of bonds.

SEC. 13. That it shall not be necessary for the board of aldermen to wait for an assessment for any local improvements to be confirmed, as provided in the preceding section, but the board of aldermen may, in its discretion, cause an estimate to be made of the cost of any local improvements contemplated on any street, or streets of the said town, and may issue and sell the local improvement bonds as provided in section.....in advance of the resolution and assessments for said local improvements as hereinafter provided, in amounts sufficient to cover the estimated cost thereof.

Interest rate.

SEC. 14. Bonds authorized to be issued by this act shall be of such denomination, bear such rate of interest, not exceeding six per centum per annum, and be payable at such places, and be in such form as the governing body may by resolution provide. Such bonds shall be signed by the mayor or other chief executive officer, and the clerk of the town of Waynesville and shall bear the seal of such municipality. Coupons attached to such bonds shall bear the *facsimile* signature of one or more of said officers.

Authentication.

Sale of bonds.

Recitals of bonds.

The bonds may be sold at public or private sale. They shall recite that they are issued pursuant to the authority of this act

and of the resolution authorizing the issuance thereof, which shall be conclusive evidence of their validity, and of the regularity of their issuance.

SEC. 15. The full faith and credit of the town of Waynesville shall be pledged for the payment of the principal and interest of all of its local improvement bonds, notes, and other obligations issued under this act. For the purpose of paying such principal and interest the governing body shall have the power to levy sufficient taxes upon all the taxable property in the municipality and to borrow money temporarily upon notes of the municipality in anticipation of taxes of the same or the succeeding fiscal year.

Pledge of faith and credit of town.

Taxes.

Temporary loans.

SEC. 16. That this act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 29

AN ACT TO PROVIDE FOR THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF HIGH POINT.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever in the judgment of the governing board of the city of High Point it appears desirable and for the best interest of said city to enlarge or extend the corporate limits thereof, and it also appears to said board that such extension is for the best interest of the citizens of the territory proposed to be annexed, then the said governing board may call an election to determine whether or not such territory shall be annexed to said city.

Call for election authorized.

SEC. 2. That such election shall be called by ordinance, which ordinance shall be introduced at least one week before its final passage, and when called up one week after its introduction, may then be amended and adopted at any subsequent meeting. Said ordinance shall (a) describe with reasonable certainty the territory proposed to be annexed to the city; (b) provide that the matter of annexation of such territory shall be submitted to the vote of the qualified voters of said city and the territory proposed to be annexed voting together; (c) provide for a new or special registration of voters for said election; (d) designate the precincts and voting places for such election; (e) name the registrars and the judges of election; (f) and make all other necessary provision for the holding and conducting of such election, the canvassing of the returns, and the declaration of the result. Said ordinance shall be published in one or more newspapers of said city once a week for four weeks prior to said election.

Ordinance for election.

Description of territory.

Vote.

New registration. Precincts and polling places. Election officers.

Other provisions.

Ordinance to be published.

Ballots.

Majority of
registered voters.

School facilities.

Adjustment of
debt.

Transfer of
property.

Agreements to be
in writing.

Submitted to town
and county
governments.
Binding when
ratified.

Proviso: adjust-
ment by arbitra-
tion.

SEC. 3. That at any such election those voters who favor extending the city limits as provided by the ordinance calling such election shall vote ballots on which shall be written or printed the words, "For Extension"; and those opposed shall vote ballots on which shall be written or printed "Against Extension." If at any such election a majority of the registered voters shall vote "For Extension," then from and after the date of such election the territory described in the ordinance calling such election shall be a part of the corporate territory of said city; and such territory and its citizens and property shall be subject to all the laws, ordinances, and regulations in force in said city, and shall also be entitled to the same privileges and benefits as other parts of said city.

SEC. 4. That in the event that a majority of the registered voters shall vote for the extension of the corporate limits of the city of High Point, as hereinbefore provided, then the school board of the city of High Point, and the county board of education of Guilford County, are authorized and empowered to make such arrangements, agreements and contracts, as in their opinion may seem best, for providing school facilities for those children of school age that live in school districts outside the present limits of said city, and within districts that are included wholly or partially in the new limits of said city, and such arrangements and provisions may be continued from year to year as long as it shall, in the opinion of said boards, seem necessary or for the best interest of the children in such territory. Said school board and board of education are also authorized and empowered to consider and adjust the bonded indebtedness and transfer of property to the city or school districts wholly or partially included within the new limits of said city (and wholly outside the old city limits); and to this end they may by agreement determine what portion of the bonded indebtedness of any district shall be assumed by the city of High Point and what portion shall be assumed by the part of any such district not embraced in the new limits of said city; and any agreement entered into in relation to said bonded indebtedness or transfer of property shall be in writing and shall be submitted by said boards to the board of county commissioners of Guilford County and the governing board of the city of High Point, and when ratified by the two boards last named shall become binding upon said city and upon the portions of any district outside the new limits of said city; and thereafter any part of the principal or interest of said bonds so assumed by the city of High Point shall be paid by said city as the same falls due; while the portions of said bond issues and interest as are assumed by parts of districts outside of the new city limits shall be paid from school funds of said parts of districts, respectively: *Provided, however,* that if said school boards cannot agree upon an adjustment and division of liability

as to any of said bonded indebtedness or the amount to be paid on account of the transfer of any school property to said city, or if any agreement as to such matters shall not be approved by the county commissioners or governing board of said city, then in any such event, the question and matter in controversy shall be submitted to arbitration, the county board of education choosing one arbitrator, the city school board another arbitrator, and a third arbitrator being chosen by the two arbitrators first named, all of said arbitrators to be disinterested citizens of North Carolina, residing outside of the county of Guilford and owning no property in said county. Said arbitrators as soon as possible after being chosen shall meet in the city of High Point, after notice to said school board and board of education, and hear the evidence with regard to the controversy submitted to them, and render to each of said boards their decision in writing, which shall be a final adjudication of such controversy.

Hearing of
arbitrators.

SEC. 5. That if said city limits are extended as in this act provided, there shall be levied and collected in the territory annexed to said city the same school tax (and the same tax for other purposes), that is collected in the old limits of said city; but no local tax for schools shall be levied in such territory except such as are levied in the whole city: *Provided*, that nothing herein shall be construed to prevent the levy and collection by the county of Guilford of any special tax or local school tax theretofore authorized in such portions of any school districts as are not embraced in the new limits of said city.

Taxes.

Local taxes.

Proviso: levy by
county.

SEC. 6. All laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 7. This act shall be in full force and effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 30

AN ACT TO AMEND CHAPTER 91 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION OF 1901, SO AS TO AUTHORIZE AN ELECTION FOR INCREASING THE TAX RATE FOR HENDERSON GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

That chapter ninety-one of the Private Laws of North Carolina, session of one thousand nine hundred and one, and the amendments thereto, be and the same is hereby amended by adding after the word "poll" in line eleven of section four, chapter ninety-one, Private Act of one thousand nine hundred and one, the following: "*Provided*, that upon the application of the board

Proviso: election
to be ordered.

Question to be voted on.	of trustees of Henderson Graded School District, the board of commissioners of Vance County shall submit to the qualified voters of the said Henderson Graded School District, at an election to be held for said Henderson Graded School District at the City of Henderson, Vance County, State of North Carolina. The question whether the maximum tax rate, as provided in this section, shall be increased from twenty cents on the one hundred dollars valuation of property and sixty cents on the poll to such an amount as may be asked for in said application of said board of trustees, but in no case shall the maximum rate of taxation under this section exceed sixty cents (60c) on the one hundred dollars in valuation of property and the constitutional ratio for poll tax."
Limit of rate.	Such election shall be ordered, advertised and held in the same manner as is now or may be hereafter provided by law for election of members of the General Assembly, except that said election shall be called, the vote canvassed and result declared by the board of county commissioners of Vance County, North Carolina, and not the county board of elections.
Law governing call and conduct of election.	At such election those who favor the levying and collection of said increased tax shall vote a ballot on which shall be written or printed the words, "For Special School Tax," and those who are opposed shall vote a ballot on which shall be written or printed the words "Against Special School Tax."
Ballots.	The board of county commissioners shall appoint the proper registrars and judges of election and in its discretion may order a new registration of the qualified voters of said Henderson Graded School District, upon giving notice thereof by publishing same in some newspaper published in Vance County thirty days before the closing of the registration books.
Election officers.	This act shall be in force from and after its ratification. Ratified this the 14th day of December, A.D. 1921.

CHAPTER 31

AN ACT RELATING TO STREET IMPROVEMENTS IN THE TOWN OF AYDEN.

The General Assembly of North Carolina do enact:

Acts and proceedings validated.	SECTION 1. The following described acts and proceedings of the town of Ayden, in the county of Pitt, are hereby legalized and validated, viz.: (a) the resolution entitled "A resolution authorizing the improvement of various streets in the town of Ayden, North Carolina," adopted by the board of commissioners of said town on June fourteenth, one thousand nine hundred and twenty-one; (b) the ordinance entitled "An ordinance authoriz-
Resolutions authorizing improvements.	
Ordinance for bond issue.	

ing the issuance of two hundred and twenty-five thousand dollars bonds for street improvements in the town of Ayden, North Carolina." adopted by the board of commissioners of said town on June fourteenth, one thousand nine hundred and twenty-one; (c) the special election held in said town on July eighteenth, one thousand nine hundred and twenty-one, at which election a proposition for the issuance of bonds pursuant to said ordinance was adopted by a majority of the qualified voters of said town voting at said election; and (d) all acts and proceedings taken pursuant to or for the purpose of carrying out the provisions of said ordinance and resolution.

Election on bond issue.

Acts pursuant to such acts.

SEC. 2. The board of commissioners of the town of Ayden is hereby authorized to improve streets and to levy special assessments to pay the cost of said improvements, pursuant to said resolution adopted June fourteenth, one thousand nine hundred and twenty-one, and in the manner provided by article nine, of subchapter one of chapter fifty-six of the Consolidated Statutes: *Provided, however*, that two-thirds of the cost of said improvements, exclusive of so much of said cost as is incurred at street intersections, shall be assessed upon the lots and parcels of land abutting directly on said improvements, according to the extent of their respective frontages thereon, by an equal rate per foot of such frontage: and, *Provided, further*, that road beds and rights of way of railroads or street railway companies in or abutting upon any street so improved, and all other real estate in or abutting upon any street so improved, shall be deemed and treated as lots or parcels of land abutting on such street, and shall be subject to assessment: and, *Provided, further*, that no petition of property owners shall be necessary for the making of said improvements or the levying of said assessments.

Special assessments authorized.

Proviso: ratio of assessments.

Proviso: road beds and rights of way.

Proviso: petitions not required.

SEC. 3. The board of commissioners of the town of Ayden is hereby authorized to issue bonds of the town of Ayden in an amount not exceeding two hundred and twenty-five thousand dollars, pursuant to said ordinance entitled "An ordinance authorizing the issuance of two hundred and twenty-five thousand dollars bonds for street improvements in the town of Ayden, North Carolina," adopted June fourteenth, one thousand nine hundred and twenty-one, and to levy an annual tax on all taxable property in said town sufficient to pay the principal and interest of said bonds as such principal and interest fall due. The said bonds shall be issued pursuant to the provisions of subchapter three of chapter fifty-six of the Consolidated Statutes: *Provided, however*, that it shall not be necessary to pass any further bond ordinance or to resubmit to the voters the question of issuing said bonds; and no limitation prescribed by law upon the amount of bonds which the town of Ayden is authorized to issue shall prevent the issuance of said bonds. Neither the power to issue the said bonds nor the validity of said bonds shall be affected

Bond issue authorized.

Tax for principal and interest.

Proviso: further action not required.

Validity of bonds.

To borrow money
in anticipation of
bond sales.

by invalidity of any special assessment or by invalidity of any of the provisions of the second section of this act. The said board of commissioners is hereby further authorized to borrow money and issue notes of said town in anticipation of the receipt of the proceeds of the sale of said bonds, pursuant to the provisions of sections two thousand nine hundred and thirty-four and two thousand nine hundred and thirty-five of the Consolidated Statutes.

Powers additional.

SEC. 4. The powers granted by this act are granted in addition to and not in substitution for existing powers of said town, and are not subject to any limitation or restrictions prescribed by any other law, except as herein otherwise provided.

Repealing clause.

SEC. 5. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 6. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 32

AN ACT TO VALIDATE BOND ISSUES OF SCHOOL DISTRICTS IN BLADEN COUNTY.

Preamble: election
in White Oak
High School
District.

Whereas at a special election held in White Oak High School District in Bladen County on September twenty-seventh, one thousand nine hundred and twenty-one, a majority of the qualified voters of said district voted in favor of the issuance of six thousand dollars (\$6,000) of bonds for school purposes and the levying of a tax to pay said bonds under the provisions of chapter fifty-five of Public Laws of one thousand nine hundred and fifteen of North Carolina, as amended; and,

Preamble: election
in Elizabethtown
High School
District.

Whereas at a special election held in Elizabethtown High School District in Bladen County on September twenty-seventh, one thousand nine hundred and twenty-one, a majority of the qualified voters of said district voted in favor of the issuance of fifteen thousand dollars (\$15,000) of bonds for school purposes and the levying of a tax to pay said bonds under the provisions of chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen of North Carolina, as amended; and,

Preamble: election
in Brown Marsh
Township School
District.

Whereas at a special election held in Brown Marsh Township School District in Bladen County on July twelfth, one thousand nine hundred and twenty-one, a majority of the qualified voters of said district voted in favor of the issuance of twenty-five thousand dollars (\$25,000) of bonds for school purposes and the levying of a tax to pay said bonds under the provisions of chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen of North Carolina, as amended; and,

Whereas at a special election held in Frenches Creek Township School District in Bladen County on June eighteenth, one thousand nine hundred and twenty-one, a majority of the qualified voters in said district voted in favor of the issuance of ten thousand dollars (\$10,000) of bonds for school purposes and the levying of a tax to pay said bonds under the provisions of chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen of North Carolina, as amended: Now, therefore,

Preamble: election in Frenches Creek Township School District.

The General Assembly of North Carolina do enact:

SECTION 1. The said elections held in said school districts and all acts and proceedings done and taken in or about the calling, holding or determination of the result of said elections, or in or about the registration of voters for said elections, and also all acts and proceedings thereafter done and taken relating to the issuance of the bonds authorized to be issued at said elections, are hereby legalized and validated, and the board of commissioners for the county of Bladen, and the county board of education of said county, are hereby authorized to issue said bonds in the manner provided by said chapter fifty-five of the Public Laws of one thousand nine hundred and fifteen, as amended, and the board of commissioners for the county of Bladen are hereby authorized and directed to levy an annual tax for the purpose of paying the principal and interest of said bonds pursuant to and in accordance with said elections.

Elections validated.

Proceedings for issuance of bonds validated.

Issue of bonds authorized.

Tax levy.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 33

AN ACT TO VALIDATE MURFREESBORO SCHOOL DISTRICT BONDS.

Whereas by an election duly held, there have been authorized twenty-five thousand dollars of school bonds of Murfreesboro Graded School District in Hertford County, North Carolina, and the issuance and sale of said bonds were authorized by proceedings of the county commissioners and county board of education of said county, after the sale of said bonds had been previously advertised: Now, therefore,

Preamble: bond issue validated by election.

Issuance authorized.

The General Assembly of North Carolina do enact:

SECTION 1. That the proceedings of the Hertford County board of commissioners, at their session held November seven, one thousand nine hundred and twenty-one, providing the form

Proceedings validated.

Issuance and
delivery ordered.

and other details of said bonds, and selling the same, are hereby validated in all respects, and the said bonds as therein provided for shall be issued and delivered, and shall be incontestable after delivery.

SEC. 2. That this act shall be in effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 34

AN ACT TO AUTHORIZE ISSUANCE OF SCHOOL BONDS BY CITY OF THOMASVILLE.

The General Assembly of North Carolina do enact:

Order for election.

SECTION 1. The city council of Thomasville, Davidson County, North Carolina, shall within thirty days from date of ratification of this act, either in a special or regular meeting, order an election to be held in said city, and a new registration therefor, to determine the question of issuing school bonds of said city in the aggregate amount of one hundred thousand dollars.

New registration.

Question to be
submitted.

Notice of election.

SEC. 2. The said council shall cause to be published at least once in a newspaper in said city, a notice of election, setting forth the date thereof, the question to be determined, names of election officers, place or places for voting, and such other details as they may deem best, such notice to be published at least twenty days before the election.

Registration.

SEC. 3. The registration books shall be kept open for the new registration for twenty days next preceding the election, not including Sundays, from nine a.m. to six p.m., and the polls shall be open on election day from seven a.m. to six p.m.

Hours of voting.

Ballots.

SEC. 4. Each person voting in said election favoring the issuance of said bonds, shall vote a ballot on which shall be printed the words "For School Bonds"; and those opposed to the issuance of said bonds shall vote a ballot on which shall be printed the words "Against School Bonds."

Bonds issued.

SEC. 5. If a majority of the qualified voters for said election shall vote "For School Bonds," the said council shall issue and sell school bonds of said city in the maximum amount of one hundred thousand dollars, bearing interest at the rate of six per centum per annum, for the purpose of improving the school buildings and equipment of said city, and buying land for building, but the purchaser and subsequent holders of said bonds shall not be in any way responsible for the application of the proceeds.

Amount.

Interest.

Purpose.

Obligation of pur-
chaser divested.

Discretion of
council.

SEC. 6. All other matters not herein provided for in connection with the registration and election and bonds, shall be in the discretion of the said council.

SEC. 7. The said bonds shall cite this act on the face thereof, and shall be incontestable after delivery.

Recitals of bonds.
Incontestable after delivery.

SEC. 8. If the election first called should fail to carry, the said council shall have authority to call another election under this act at any time within twelve months from date of said first election.

Subsequent election.

SEC. 9. This act shall not abridge any other rights as to issuance of bonds by said city, but shall be in addition thereto, and no limitation or restriction or requirement of any other law shall apply to the bonds herein authorized, nor to the election or registration therefor.

Bonds additional.
Limitations inapplicable.

SEC. 10. The said council shall levy and collect annually a tax on all taxable property and polls in said city, sufficient to pay the principal and interest of said bonds, as same shall fall due.

Tax.

SEC. 11. This act shall be in effect from and after its ratification.

Ratified this the 14th day of December, A.D. 1921.

CHAPTER 35

AN ACT TO AUTHORIZE THE ROCKINGHAM GRADED SCHOOL DISTRICT FOR WHITE AND COLORED CHILDREN, RICHMOND COUNTY, TO ISSUE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. Subject to a vote of the majority of the qualified voters of the Rockingham Graded School District for white and colored children, of Richmond County, the board of commissioners of the town of Rockingham is hereby authorized to issue, at one time or from time to time, not exceeding one hundred thousand dollars bonds of said district for the purpose of erecting and equipping school buildings within the said district. All of said bonds shall bear interest at not more than six per cent per annum, payable semiannually, and shall mature at such time or times not more than thirty years from their respective dates as said board may determine. No sale of any of the said bonds shall be made at less than par and accrued interest, nor until a notice for the date of receiving bids shall have been published in a newspaper published in the town of Rockingham, and in a newspaper published in the city of Raleigh, which publication shall be not less than ten days before the date for receiving bids, and no other or further notice shall be required.

Authority for bond issue subject to election.
Amount.
Purpose.
Interest.
Maturity.
Sale below par forbidden.
Notice of sale.

SEC. 2. No bonds shall be issued hereunder unless a majority of the qualified voters of said school district shall vote in favor

Bond issue subject to election.

Petition for election.	of the issuance of the same, at an election to be called by said board of commissioners after a petition requesting said election and signed by a majority of the board of trustees of the Rockingham Graded School District for the white and colored children, or their duly elected officers, has been filed with the said board of commissioners. It shall not be necessary to submit to the voters any other details of said bonds than the amount or maximum amount of the issue, with a statement of such purpose as stated herein and the fact that a tax for the payment of the
Question to be submitted.	bonds and interest will be levied. No other or further notice of said election shall be required except a publication, not more than forty days and not less than twenty days before said election, in a newspaper published in the town of Rockingham and circulating within the said district, such publication to state the question or questions as herein provided for, as well as the day of election and the place or places at which the polls will be open. The
Notice of election.	board of commissioners may order a new registration of voters if the petition of the board of trustees of said district requests same. No further or other notice of such new registration shall be required than a publication at least thirty days before the closing of the registration books, in a newspaper published in the town of Rockingham and circulating within said district, such publication to state the days on which the books of registration will be open and the place or places on which they will be
Registration.	open on Saturdays. The board of commissioners shall appoint the registrars and judges of election and fix the polling places and canvass the election and, except as herein otherwise provided, the provisions of the law then applicable to elections in the town of Rockingham, shall be applicable to the registration and election hereunder.
Notice of registration.	
Election of officers.	
Polling places.	
Canvass of returns.	
Law governing election.	
Effect of election.	SEC. 3. If a majority of the qualified voters of said district shall vote in favor of the issuance of said bonds, then such bonds shall be forthwith issued; the said board of commissioners shall cause the bonds so to be issued to be prepared and executed in such manner as they may determine; said bonds shall be issued in coupon form and may be made subject to registration as to principal alone or as to both principal and interest under such conditions as said board may determine; the said board shall cause the said bonds to be delivered pursuant to any public or private sale thereof made by the said board of trustees of said district. The proceeds of said bonds shall be paid into the hands of the town treasurer for the credit of said school district.
Issuance of bonds.	
Sale and delivery of bonds.	
Custody of proceeds.	
Special tax.	SEC. 4. In each year while any of said bonds shall be outstanding, it shall be the duty of the board of commissioners to levy a tax upon all taxable property within said school district, over and above all other taxes authorized by law, sufficient to meet the principal and interest of said bonds in accordance with

their terms; which tax, when collected, shall be held by the town treasurer for the sole purpose of paying said principal and interest. Specific appropriation.

SEC. 5. The failure of the voters of said district to authorize the issuance of said bonds at the first election shall not prevent the submission of the question at other elections to be called and held in accordance with this act, but not more than one election shall be held hereunder in any one calendar year. Subsequent elections.

SEC. 6. The powers hereby conferred are in addition to all other powers conferred by law, and bonds may be issued hereunder notwithstanding any other law, general or special, heretofore enacted. Powers additional.

SEC. 7. This act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 36

AN ACT TO AUTHORIZE THE SANFORD GRADED SCHOOL DISTRICT TO ISSUE BONDS TO BUILD SCHOOL-HOUSES.

The General Assembly of North Carolina do enact:

SECTION 1. The board of trustees of the Sanford Graded School District are hereby authorized to issue bonds of said school district for the purposes of erecting, enlarging, altering, and equipping school buildings and acquiring land for school buildings of the said school district, or for any one or more of said purposes, and the board of county commissioners of Lee County is hereby authorized and directed to levy annually a special tax *ad valorem* on all taxable property in said school district, for the purpose of paying the principal and interest of all bonds issued under this act, as such principal and interest become due, which special tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied in said school district. No bonds shall be issued under this act, however, nor said special tax levied unless and until the question of such issue and levy shall have been submitted to the qualified voters of said Sanford Graded School District at a special election to be held for that purpose, and a majority of said qualified electors shall have voted in favor of issuing said bonds and levying said tax, as required by section seven of article seven of the Constitution of North Carolina. Bond issue authorized.
Purpose.
Special tax.
Question subject to election.

SEC. 2. The said bonds shall be issued in the corporate name of the said Sanford Graded School District. They shall be issued Obligation of bonds.

Conditions.	in such form and denominations, and with such provisions as to time, place and medium of payment of principal and interest, as the board of trustees may determine, subject to the limitations and restrictions of this act. They may be issued as one issue or divided into two or more separate issues, and in either case may be issued all at one time or in blocks from time to time. The bonds shall run for a period not exceeding forty years, and shall bear interest at a rate not exceeding six per centum per annum, payable semiannually. They may be either coupon bonds or registered bonds, and if issued in coupon form, may be made registerable as to principal or as to both principal and interest.
Serial issue.	
Maturity.	
Interest.	
Coupon or registered bonds.	
Authentication.	They shall be signed by the chairman of said board of trustees and the seal of the school district shall be affixed to, or impressed on each bond, and attested by the secretary or clerk of said board of trustees, and the coupons of such bonds shall bear the printed, lithographed or etched <i>facsimile</i> signature of such chairman in office at the date of the bonds. The delivery of bonds as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in office occurring after such signing.
Valid delivery.	
Sale of bonds.	SEC. 3. The said bonds shall be sold by the said board of trustees in the manner provided in the Municipal Finance Act for the sale of bonds of cities and towns. They shall not be sold for less than par and accrued interest.
Sale below par forbidden.	
Proceeds kept distinct. Specific appropriation.	SEC. 4. The proceeds of the sale of said bonds shall be placed in a separate fund and used only for the purposes for which they were issued.
Collection and settlement of tax.	SEC. 5. The taxes provided for in section one of this act shall be collected by the sheriff of the county in which the school district is situated, and paid over by him to the treasurer of the school district, to be applied solely to the payment of the principal and interest of said bonds. The board of trustees may require the said treasurer to give a bond or undertaking for the faithful performance of his duties under this act in such amount and with such sureties as the board may deem sufficient, and may pay the premium on such bond out of the proceeds of the sale of the bonds hereby authorized.
Specific appropriation.	
Bond of treasurer.	
Premium on official bond.	
Order for election.	SEC. 6. Whenever the board of trustees of the Sanford Graded School District shall so request, the board of county commissioners of Lee County shall order a special election to be held in the said school district at such time as the board of trustees may designate for the purpose of voting upon the question of issuing bonds and levying a tax under this act. Said election shall be held under the supervision of the board of county commissioners and in all particulars other than those specifically provided for in this act, shall be held and conducted, and the qualifications of voters at the election determined as nearly as may be practicable, in accordance with the general law governing elections for mem-
Law governing election.	

bers of the General Assembly. For said election there shall be a new registration of the qualified voters of the school district. Notice of the election shall be given by publication at least twice in some newspaper published in the said school district, the first publication to be at least thirty days before the election. The question to be voted upon shall be stated in said notice as follows: "The question of issuing not exceeding \$..... of school bonds of the Sanford Graded School District and levying a sufficient annual tax to pay the same." The amount stated in said question shall be such amount as the board of trustees may determine and state in their petition to the said board of county commissioners. The board of county commissioners shall appoint the registrars and judges of election for said election and shall cause to be printed and distributed a sufficient number of ballots for use at the election. At said election the voters who are in favor of the issuance of said bonds and the levying of said special annual tax shall vote a ballot on which shall be written or printed the words "For Schoolhouse Bonds"; and the voters who are opposed to the issuance of said bonds and the levying of said tax shall vote a ballot on which shall be written or printed the words "Against Schoolhouse Bonds." At the close of the polls, the election officers shall count the votes and make returns thereof to the board of county commissioners, which board shall as soon as practicable after the election, and not later than its next regular meeting, judicially pass upon the returns and judicially determine and declare the result of said election, which determination shall be spread upon the minutes of said board. The returns shall be made in duplicate, one copy of which shall be delivered to the board of county commissioners as aforesaid, and the other filed with the clerk of the Superior Court of Lee County.

SEC. 7. Nothing in this act shall be construed as preventing more than one election under this act, but not more than one election shall be called during any one year thereunder.

SEC. 8. The total amount of bonds issued by the Sanford Graded School District under this act, including all other bonds issued for school purposes by the district, shall not exceed five per cent of the assessed valuation of taxable property in said school district.

SEC. 9. The funds derived from the sale of said bonds shall be paid out upon the order of the trustees of the Sanford Graded School District, and the expenses of holding said election shall be paid out of the school funds belonging to the said Sanford Graded School District.

SEC. 10. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

New registration.

Notice of election.

Question to be voted on.

Amount.

Election officers.

Printing and distribution of ballots.

Ballots.

Count and return of votes.

Canvass of returns

Record.

Canvass of returns.

Subsequent elections.

Limitation of amount.

Orders for payments.

Expense of election.

CHAPTER 37

AN ACT TO AMEND THE CHARTER OF THE CITY OF
WINSTON-SALEM, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

- Charter amended. SECTION 1. That the charter of the city of Winston-Salem, it being chapter one hundred and eighty of the Private Laws of one thousand nine hundred and fifteen, be and the same is hereby amended by adding at the end of section fifty-seven the following: "The board of aldermen are authorized to obtain land as provided above, without the owner's consent, notwithstanding that the same may be his dwellinghouse, yard, or kitchen."
- Right to condemn property. SEC. 2. That said charter be and the same is hereby amended by adding the following at the end of section sixty-one thereof: "Except that such petition shall not be required with respect to the paving of any portion of a street, the entire length of which street is not less than one mile, either wholly or partly within or without the fire limits, when the board of aldermen have designated such street as a main thoroughfare and have found that the public welfare makes necessary the paving of such street or any portion thereof."
- Improvements not requiring petition. SEC. 3. That said charter be and the same is hereby amended by inserting in section sixty-eight thereof the following after the word "are" in line forty of said section: "Now or may hereafter be."
- Crimes hereafter declared. SEC. 4. That said charter be and the same is hereby amended by inserting after the word "peace" in the fifth line of section seventy-eight of said charter, the following: "Except a trial by jury shall not be had."
- No jury trial. SEC. 5. That said charter be and the same is hereby amended by adding the following at the end of section eighty-four thereof: "He shall also, after the amount of bail bonds have been fixed, investigate and pass on the solvency of the surety or sureties thereon, and he shall be authorized to administer oaths relating thereto. Upon the entry of a final judgment for any time, forfeiture, or penalty, either against a principal or surety, the judge of the municipal court may direct the clerk of said court to make and transmit to the clerk of the Superior Court of Forsyth County a transcript thereof, which shall be entered thereon the judgment docket of the Superior Court, and the clerk of the Superior Court shall issue execution on the final judgment against the principal and his sureties for the collection of the amount thereof, as in case of judgments in behalf of the State. Judgments so docketed may be remitted by the judges of the Superior Courts in the manner provided by section four thousand five hundred and eighty-eight of the Consolidated Statutes."
- Justification of bail bonds.
- Execution.
- Remission of judgments

SEC. 6. That section eighty-five of said charter be and the same is hereby repealed and the following enacted in lieu thereof: "The solicitor of the municipal court shall take and subscribe the oath required of solicitors of the Superior Courts. It shall be his duty to attend all sessions of the municipal court and prosecute on behalf of the State of North Carolina and the city of Winston-Salem all cases in the said court. He may advise the police officers of the city as to the amount of bail to be fixed and the clerk of the municipal court as to the sufficiency of sureties on bail bonds. There shall be taxed in each case as part of the costs, where costs are taxed, a fee not to exceed five dollars, which shall be designated as solicitor's fee, and shall be paid to the city treasurer and disbursed by the board of aldermen as they determine. In case the solicitor shall be absent or unable to attend to his duties, the judge shall appoint some one to take his place; that in the event of a vacancy the board of aldermen shall have the power to fill his place."

Solicitor to qualify.

Duties.

Advisory duties.

Tax fees.

Temporary appointments and vacancies.

SEC. 7. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 38

AN ACT TO AUTHORIZE GREENVILLE GRADED SCHOOL DISTRICT, PITT COUNTY, TO ISSUE BONDS AND TO PROVIDE FOR THE PAYMENT THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. Subject to a vote of the majority of the qualified voters of Greenville Graded School District, Pitt County, the board of commissioners of Pitt County is hereby authorized to issue at one time or from time to time, not exceeding one hundred and thirty thousand dollars (\$130,000) bonds of said school district for the purpose of erecting and equipping additional school buildings, and not exceeding seventy thousand dollars (\$70,000) bonds of said school district for the purpose of paying the unpaid portion of the cost of the high school building, now represented by outstanding notes or accounts of approximately thirty-five thousand dollars (\$35,000), and the unpaid portion of the cost of a teacherage heretofore purchased by the trustees of said school district from Mrs. C. C. Vines, for which notes of the school district are outstanding in approximately the amount of thirty-five thousand dollars (\$35,000). All of said bonds shall bear interest at not more than six per cent per annum, payable semiannually, and shall mature at such time or times, not more than thirty years from their respective dates, as said board may determine. No sale of any of the said bonds shall be made at

Power subject to vote.

Bond issue authorized.

Amount.

Purpose.

Amount for high school building and teacherage.

Interest.

Maturity.

Sale below par forbidden.

Notice of sale.	less than par and accrued interest, nor until a notice for the date of receiving bids shall have been published in a newspaper published in Pitt County, and in a newspaper published in the city of Raleigh, which publication shall be at least ten days before the said date for receiving bids, and no other or further notice of sale shall be required.
Election on bond issue.	<p>SEC. 2. No bonds shall be issued hereunder unless a majority of the qualified voters of said school district shall vote in favor of the issuance of the same, at an election to be called by said board of commissioners after a petition requesting said election and signed by a majority of the board of trustees of the Greenville Graded School District, or their duly elected officers, has been filed with the said board of commissioners. It shall not be necessary to submit to the voters any other details of said bonds than the amount or maximum amount for each purpose, with a statement of such purpose as stated herein and the fact that the tax for the payment of the bonds and interest will be levied. No other or further notice of said election shall be required except a publication, not more than forty days nor less than twenty days before said election, in a newspaper published in Pitt County and circulating within the said district, such publication to state the question or questions as herein provided for, as well as the day of election and the place or places at which the polls will be open. The board of commissioners may order a new registration of voters if the petition of the board of trustees of Greenville Graded School District requests same. No other or further notice of such new registration shall be required than a publication at least thirty days before the closing of the registration books, in a newspaper published in Pitt County and circulating within said district, such publication to state the days on which the books of registration will be open and the place or places on which they will be open on Saturdays. The board of county commissioners shall appoint the registrars and judges of election and fix the polling places and canvass the election and, except as herein otherwise provided, the provisions of the law then applicable to school elections in school districts shall be applicable to the registration and election hereunder.</p> <p>SEC. 3. If a majority of the qualified voters of said district shall vote in favor of the issuance of bonds for the payment of the amounts due upon the high school building and the teacherage, such vote shall be deemed to be a ratification of the act of the trustees of the Greenville Graded School District in the purchase of the Vines Apartment building as a teacherage, and such bonds shall thereupon be issued; if a majority of the qualified voters of said district shall vote in favor of the issuance of bonds for the erection and equipment of additional school buildings, then such bonds shall be forthwith issued; the said board of commissioners shall cause the bonds so to be issued, to</p>
Petition for election.	
Question to be submitted.	
Publication.	
New registration optional.	
Notice of registration.	
Election officers.	
Law governing registration and election.	
Majority for high school and teacherage bonds.	
Majority for additional school buildings.	

be prepared and executed in such manner as they may determine: said bonds shall be issued in coupon form, but may be made subject to registration as to principal alone or as to both principal and interest under such conditions as said board may determine: the said board shall cause the said bonds to be delivered pursuant to any public sale thereof, made by the said board of trustees of Greenville Graded School District. The proceeds of said bonds shall be paid into the hands of the county treasurer for the credit of said school district.

Delivery of bonds.

Custody of proceeds.

SEC. 4. In each year while any of said bonds shall be outstanding, it shall be the duty of the board of county commissioners to levy a tax upon all taxable property within said school district, over and above all other taxes authorized by law, sufficient to meet the principal and interest of said bonds in accordance with their terms; which tax when collected, shall be held by the county treasurer for the sole purpose of paying said principal and interest.

Special tax.

Specific appropriation.

SEC. 5. The failure of the voters of said district to authorize the issuance of said bonds at the first election shall not prevent the submission of the question at other elections to be called and held in accordance with this act, but not more than one election shall be held hereunder in any one calendar year.

Subsequent elections.

SEC. 6. The powers hereby conferred are in addition to all other powers conferred by law, and bonds may be issued hereunder notwithstanding any other law, general or special, heretofore enacted.

Powers additional.

SEC. 7. The invalidity of this act as to any of the bonds authorized by it shall not affect its validity as to the remainder.

Validity of bonds.

SEC. 8. That chapter fifty-three, Private Laws one thousand nine hundred and twenty-one, be and the same is hereby repealed.

Acts specifically repealed.

SEC. 9. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 39

AN ACT TO VALIDATE AN ELECTION HELD IN BISCOE GRADED SCHOOL DISTRICT AND TO AUTHORIZE THE ISSUE OF BONDS THEREUNDER.

The General Assembly of North Carolina do enact:

SECTION 1. The election held in Biscoe Graded School District, sometimes called Biscoe Special-tax School District, on the third day of May, one thousand nine hundred and twenty-one, to authorize an issue of bonds of the said district to the amount of forty thousand dollars (\$40,000), to run for thirty years and

5—Private

Election confirmed.

Issue and sale
of bonds
authorized.

Special tax.

Effect of other
acts.

bearing interest at the rate of six per cent per annum, payable semiannually, is hereby confirmed, and the trustees of the said district are hereby authorized to issue said bonds and to sell them at public or private sale, but for not less than par and accrued interest. The board of county commissioners of Montgomery County is hereby authorized and directed to levy annually a special tax *ad valorem* on all taxable property in such school district for the purpose of paying the principal and interest of the said bonds, as such principal and interest become due, which special tax shall be in addition to all other taxes authorized to be levied in the said school district.

SEC. 2. No act passed at the present session of the Legislature shall be deemed to affect the provisions hereof, unless it shall refer expressly hereto.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 40

AN ACT TO AMEND CHAPTER 138, PRIVATE LAWS OF 1921, THE SAME BEING AN ACT RELATING TO TARBORO SCHOOL BOARD BONDS.

The General Assembly of North Carolina do enact:

Purpose of bonds.

SECTION 1. That section one, chapter one hundred and thirty-eight, of the Private Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by adding after the words "a school building" and before the words "a teacherage" in line five thereof, the words "or school buildings."

School buildings.

SEC. 2. That section five, chapter one hundred and thirty-eight, of the Private Laws of one thousand nine hundred and twenty-one, be and the same is hereby amended by adding after the words "new school building" and before the words "and the" in line thirteen thereof, the words "or new school buildings." That said section five, chapter one hundred and thirty-eight, of the Private Laws of one thousand nine hundred and twenty-one, be further amended by adding after the word "suitable" and before the word "for" in line fourteen thereof, the words "or sites."

Sites.

Repealing clause.

SEC. 3. That all laws, or conflicts of laws, in conflict with this act are hereby repealed.

SEC. 4. That this act shall take effect from and after the date of its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 41

AN ACT TO VALIDATE CERTAIN BONDS OF THE TOWN OF
KINGS MOUNTAIN.

The General Assembly of North Carolina do enact:

SECTION 1. The ordinance adopted by the board of commissioners of the town of Kings Mountain, in the county of Cleveland, on April seventh, one thousand nine hundred and nineteen, authorizing the issuance of not exceeding ninety thousand dollars (\$90,000) of bonds of said town for the purpose of paying the cost of improving streets in said town, and the ordinance adopted by said board on March seventh, one thousand nine hundred and twenty-one, authorizing the issuance of not exceeding sixty thousand dollars (\$60,000) of bonds of said town for the purpose of paying the cost of improving streets in said town, and the resolution adopted by said board on April fourth, one thousand nine hundred and twenty-one, providing for the issuance of fifty-six thousand dollars (\$56,000) of street assessment bonds and thirty-six thousand dollars (\$36,000) of local improvement bonds, pursuant to said ordinances, and all other resolutions, acts, and proceedings heretofore passed, done or taken by said board or by other officers of said town relating to the issuance or sale of said fifty-six thousand dollars (\$56,000) of street assessment bonds, or of said thirty-six thousand dollars (\$36,000) of local improvement bonds, are hereby legalized and validated. The said fifty-six thousand dollars (\$56,000) of street assessment bonds, which have heretofore been sold and delivered, and are now outstanding, are hereby legalized and validated and made binding obligations of said town, the said bonds being fifty-six in number, numbered from one to fifty-six, inclusive, of the denomination of one thousand dollars each, dated May first, one thousand nine hundred and twenty-one, maturing serially, viz.: five bonds on May first in each of the years one thousand nine hundred and twenty-two to one thousand nine hundred and thirty-one, inclusive, and six bonds on May first one thousand nine hundred and thirty-two, rate of six per cent per annum, payable semi-annually, and reciting that they are issued pursuant to the Municipal Finance Act of the General Assembly of North Carolina and an ordinance duly adopted by the board of commissioners of the town of Kings Mountain for the purpose of paying the cost of street improvements in and for the town of Kings Mountain. The board of commissioners of said town is hereby authorized to issue said thirty-six thousand dollars (\$36,000) of local improvement bonds (which have not yet been issued), pursuant to said ordinance adopted April seventh, one thousand nine hundred and nineteen, and said resolution adopted April fourth, one thousand nine hundred and twenty-one. The said board is hereby

Ordinances and
resolutions
validated.

Bonds heretofore
sold validated.

Further issue
authorized.

Special tax.

further authorized to levy annually on all taxable property of said town a tax sufficient to pay the principal and interest of said fifty-six thousand dollars (\$56,000) of street assessment bonds, and said thirty-six thousand dollars (\$36,000) of local improvement bonds, as such principal and interest fall due.

Repealing clause.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 42

AN ACT TO AMEND SECTION 1, CHAPTER V OF CHAPTER 136 OF THE PUBLIC LAWS OF 1917, RELATING TO THE OPERATION OF A ROCK QUARRY BY THE CITY OF DURHAM.

The General Assembly of North Carolina do enact:

That section one of chapter V of chapter one hundred and thirty-six of the Public Laws of North Carolina be amended as follows:

Purchase of lands.

SECTION 1 (*kk*). To purchase, lease, or otherwise acquire lands in or outside of the corporate limits, for the purpose of excavating rock and to operate what is known as a rock quarry thereon.

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 43

AN ACT TO AMEND CHAPTER 119, PRIVATE LAWS EXTRA SESSION 1913, AND TO AUTHORIZE THE ISSUE OF BONDS AND SPECIAL TAX FOR CERTAIN IMPROVEMENTS FOR THE TOWN OF BAKERSVILLE, MITCHELL COUNTY.

The General Assembly of North Carolina do enact:

Boundaries.

SECTION 1. That section three, chapter one hundred and nineteen, Private Laws extra session one thousand nine hundred and thirteen, be and the same is hereby amended by striking from line two thereof the words "three-fourths of one mile" and insert-

ing in lieu thereof the words "one mile"; and by striking from said section the words "three-fourths mile" wherever the said words occur and inserting in lieu thereof the word "mile."

SEC. 2. That the mayor and the board of aldermen of the town of Bakersville shall, immediately after the ratification of this act, cause the town lines as defined by this act to be surveyed and plotted and they shall cause permanent markers to be placed on the corners as shown by said survey, and permanent marks made along the lines in order that same may be at any time recognized.

Town lines to be surveyed and plotted.

Permanent markers.

SEC. 3. That chapter one hundred and nineteen, Private Laws extra session one thousand nine hundred and thirteen, be and the same is hereby amended by striking out section four complete.

SEC. 4. That the mayor and board of aldermen of the town of Bakersville shall, immediately after the ratification of this act, cause a sewer line to be laid in the town of Bakersville along the north side of Main Street from a point near Charles E. Green's residence, thence westerly along the north side of Main Street to Cane Creek. The pipe used in said sewer line shall be the standard cast-iron pipe, not less than fifteen inches in diameter, and with a four-inch opening for a connection with each piece or tract of property lying along said sewer line and adjacent to same on the north side of Main Street. The said mayor and board of aldermen of the town of Bakersville shall cause said work to be completed on or before March one, one thousand nine hundred and twenty-two, and the failure of the said mayor or said board of aldermen so to do shall constitute a misdemeanor.

Laying of sewer line ordered.

Sewer pipe.

Connections.

Time for completion of work.

Failure a misdemeanor.

SEC. 5. That the mayor and board of aldermen of the town of Bakersville shall leave a margin of four feet on the north side of Main Street along said sewer line, which shall not be paved at any time, and this section shall be construed to be amendatory to any prior law requiring all of said street to be paved.

Unpaved margin along sewer line.

SEC. 6. That in order to provide funds to carry on and complete the work required by section four of this act, the mayor and board of aldermen of the town of Bakersville shall issue the notes or bonds of the town of Bakersville in an amount not to exceed ten thousand dollars. The said notes or bonds shall bear interest at the rate of six per cent, and shall be for a term of not less than ten and not more than thirty years, and shall be secured by the pledge of all the property within the town of Bakersville as security. The said bonds shall, subject to the beforementioned restriction be of such form and tenor and in such amount as the said mayor and board of aldermen shall determine. They shall be issued and sold as other municipal bonds are issued and sold, and the proceeds arising from said sale shall be used for the purposes specified in section four of this act, and

Note or bond issue ordered.

Amount.

Interest.
Maturity.

Issue and sale of bonds.
Specific appropriation of proceeds.

Proviso: expense of issue and sale.

Proviso: obligation of purchaser divested.

Special tax.

Levy and collection. Proceeds kept separate.

Specific appropriation.

Repealing clause.

for no other purposes whatsoever: *Provided*, that the expenses incident to the issue and sale of said bonds may be deducted from the proceeds of said sale; and *Provided further*, that the purchaser or purchasers of said bonds shall not be required to see to the proper application of the proceeds of same.

SEC. 7. That the mayor and board of aldermen of the town of Bakerville shall levy annually, on all taxable property within the limits of said town of Bakersville, a special tax sufficient to pay the interest of said bonds as same become due and to create a sinking fund adequate to retire said bonds at their maturity. The said special tax shall be levied and collected as the other municipal taxes are levied and collected, and the proceeds arising from the collection of said special tax shall be kept separate and apart from the other municipal funds and shall be used for the purpose specified in this section, and for no other purpose whatsoever.

SEC. 8. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 9. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 44

AN ACT TO AUTHORIZE AN INCREASE IN THE RATE OF TAXATION FOR SCHOOL PURPOSES IN ASHEBORO GRADED SCHOOL DISTRICT.

The General Assembly of North Carolina do enact:

Request for election.

Order for election.

Question to be submitted.

Law governing election.

Ballots.

SECTION 1. Upon the written request of the board of graded school trustees of the Asheboro Graded School District, in Randolph County, North Carolina, the board of town commissioners of the town of Asheboro, which said town is coterminous with said Asheboro Graded School District, shall cause an election to be held in said school district to determine the will of the qualified voters therein with reference to the question of levying a special annual tax in an amount not to exceed twenty-five cents on each one hundred dollars of property as assessed for taxation to supplement the funds available from other taxes or sources for the maintenance of the public graded schools of said district. The election shall be ordered, advertised, and held in the same manner as is now or may hereafter be provided for municipal elections in said town. At said election those who favor the levy and collection of such tax shall vote a ballot on which shall be written or printed the words "For Special School Tax," and those who are opposed shall vote a ballot on which shall be written or

printed the words "Against Special School Tax." The returns of said election shall be made to the board of town commissioners, which shall, at the next regular meeting after said election, canvass said returns and determine and declare the result thereof. If a majority of the qualified voters at said election shall vote in favor of said tax, the same shall be annually levied and collected in the manner provided for the levy and collection of other taxes in said district: *Provided*, that in case the board of graded school trustees shall find and report to the board of town commissioners at or within three months prior to the time the tax levy shall be made for any year, that the full amount thereof will not be required for the purpose of maintaining a nine months school in said district and paying all incidental expenses, and that a lesser rate will be sufficient for said purpose; then only such lesser rate shall be actually levied and collected for that year. All taxes levied and collected under the provisions of this act shall be placed to the credit of the board of trustees of said district to be by said board expended exclusively for the maintenance of public schools in said district, or for the payment of the principal or interest of obligations incurred for school purposes in said district.

Returns.

Canvass of
returns.
Effect of election.Proviso: reduction
of tax rate.

Deposit of taxes.

Specific
appropriations.

Registration.

SEC. 2. The board of town commissioners of the town of Ashboro shall have the right and authority, to be exercised or not at its discretion, to provide for a new registration for said election.

SEC. 3. All laws and clauses of laws in conflict herewith are hereby repealed.

Repealing clause.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 45

AN ACT TO AMEND CHAPTER 341, PRIVATE LAWS OF 1915, PERTAINING TO LICENSE TAXES IN ELIZABETH CITY.

The General Assembly of North Carolina do enact:

SECTION 1. That subsection twenty-six of section one hundred and twenty-five of chapter three hundred forty-one of Private Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed, and the following be substituted in the place thereof: "On each person, firm, or corporation who conducts a so-called "pawnbrokers" or "loan-office," who carries on the business of loaning money on wearing apparel, household and kitchen furniture, or other personal property, by pledge, hypothecation, or otherwise, shall pay in advance an annual tax of two hundred and fifty dollars.

Pawnbrokers and
loan.

SEC. 2. That subsection fifty-four of section one hundred and twenty-five of said chapter three hundred and forty-one, Private Laws of one thousand nine hundred and fifteen, be and the same is hereby repealed, and the following substituted in lieu thereof:

- Peddlers. “(a). Any person, firm or corporation, who shall carry from place to place any goods, wares, and merchandise, and sell, barter, or offer for sale said commodities, or any of them, shall be deemed to be a peddler, and shall pay a license tax as follows:
- Graduated tax. Each peddler on foot, fifty dollars per annum; each peddler with horse, mule, ox, with or without vehicle, or with vehicle propelled by any other power, a license tax of one hundred dollars per annum; each peddler of drugs, medicines, nostrums, etc., whether on foot or with horse, mule, ox or other mode of conveyance, shall pay a license tax of one hundred and fifty dollars per annum. All of said licenses shall be paid in advance.
- Itinerant dealers in bankrupt and fire sales. “(b). Each itinerant merchant or dealer, whether as proprietor or as agent, who sells or offers to sell bankrupt or fire sales of any kind of goods, wares or merchandise, shall pay a license tax of one hundred dollars per week, in advance.
- Itinerant merchants in temporary location. “(c). Any itinerant merchant, or salesman, selling or offering for sale as agent or principal, any kind of goods, wares, or merchandise, or shall exhibit the same for sale upon any of the streets, or sidewalks of the town, or upon any vacant lot, or in any alley, or in any show room, or under canvas, or in any other kind of structure, rented for that purpose, shall pay in advance an annual license tax of two hundred dollars.
- Itinerant merchants defined. “(d). For the purpose of interpreting and enforcing subsections (b) and (c) of this act, any person, firm, or corporation, that does not list his poll or property for taxation in Elizabeth City, North Carolina, shall be deemed to be an itinerant merchant, and subject to the license taxes stipulated in the two foregoing subsections (b) and (c) as they respectively apply, and each and every other class or kind of itinerant not hereinbefore enumerated, or designated, shall pay an annual license tax of double the amount above mentioned in advance: *Provided, nevertheless*, none of the above provisions shall apply to the sale of periodicals, printed or sheet music, books, fuel, ice, coal, food, or the products of the farm, garden or dairy.”
- Proviso: articles not affected. None of the above provisions shall apply to the sale of periodicals, printed or sheet music, books, fuel, ice, coal, food, or the products of the farm, garden or dairy.”
- Punishment for violation of act. SEC. 3. Any person, firm, or corporation violating any of the provisions of this section, or any subsection thereof, shall upon conviction be fined fifty dollars, and each sale without license shall constitute a separate offense.
- Repealing clause. SEC. 4. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 46

AN ACT TO AMEND CHAPTER 516 OF THE PRIVATE LAWS
OF 1907, RELATING TO THE CORPORATE LIMITS OF
CERRO GORDO, COLUMBUS COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter five hundred and sixteen, Private Laws one thousand nine hundred and seven, be and the same is hereby amended by striking from said chapter section two complete, and inserting in lieu thereof the following:

"SEC. 2. That the corporate limits of the said town of Cerro Gordo shall be and are hereby declared to be included within the following boundaries, to wit: Beginning at a stake one thousand six hundred feet north of the center of the track of the Atlantic Coast Line Railway where said track crosses Wolf Trap branch, runs thence east six thousand three hundred and thirty-five feet to a stake; thence south three thousand two hundred feet to a stake; thence west six thousand three hundred and thirty-five feet to a stake; thence north three thousand two hundred feet to the point of beginning."

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 47

AN ACT AMENDING THE GAME LAWS FOR LINCOLN
COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. The closed season of each year for the county of Lincoln, during which no rabbits shall be hunted with gun or dogs, shall be from February first to December first.

SEC. 2. Any person who hunts rabbits in said county with gun or dog during such closed season shall be guilty of a misdemeanor and fined not more than fifty dollars or imprisoned not more than thirty days for each offense.

SEC. 3. This act shall take effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 48

AN ACT TO INCREASE THE SCHOOL COMMITTEE OF WALLACE SCHOOL DISTRICT, DUPLIN COUNTY.

The General Assembly of North Carolina do enact:

Number.

SECTION. 1. That from and after the regular January meeting of the county board of education of Duplin County, the school committee of Wallace Special-tax District, Duplin County, shall consist of five members.

Election of additional members.

SEC. 2. That at its regular meeting in January the county board of education of Duplin County shall elect two additional school committeemen for Wallace Special-tax District to serve for a term of three years and until their successors are elected and qualified. The said school committee shall be in addition to and in excess of the three members now in office, and with their election and qualification the said school committee of Wallace Special-tax District, Duplin County, shall consist of five members.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 49

AN ACT TO AUTHORIZE THE CITY OF CHARLOTTE TO CONDEMN LAND FOR SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

Power to condemn land.

SECTION 1. That the commissioners of the city of Charlotte shall have the right, power, and authority upon the request of the board of school commissioners of said city to condemn lands for school buildings and grounds, and for school purposes generally, not only for the erection of new buildings, but also for additional grounds to be used in connection with building now or hereafter erected, such condemnation to be made in the same manner and under the same rules and regulations and procedure as provided for the condemnation of lands by said city in sections one hundred and forty-eight to one hundred and fifty-nine, inclusive, of chapter three hundred and forty-two of the Private Laws of one thousand nine hundred and seven: *Provided, however,* that the right of condemnation granted herein shall not extend to land embraced in public parks in said city of Charlotte.

Procedure for condemnation.

Proviso: land in public parks excepted.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 50

AN ACT AUTHORIZING THE TOWN OF LINCOLNTON TO
SELL REAL ESTATE BELONGING TO SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of Lincoln- Sales authorized.
ton, may, in its discretion, and it is hereby empowered and
authorized to sell, either publicly or privately, any and all lots
or land belonging to said town of Lincolnnton.

SEC. 2. That upon confirmation of sale by the board of alder- Confirmation.
men, and the payment in full of the purchase price, the mayor Conveyances.
is hereby directed to convey title for such lot or lots of land, in
his official capacity, to the purchaser in fee simple.

SEC. 3. That the proceeds arising from the sale or sales above Disposition of
provided for shall be paid to the treasurer of said town of Lin- proceeds.
colnton, and the moneys coming into his hands therefrom shall
be held by him as general funds to be expended upon order of the
board of aldermen for general purposes or expenses of said town
as in their discretion they deem best and proper.

SEC. 4. That all laws and clauses of laws and parts of laws Repealing clause.
inconsistent with the provisions of this act be and the same are
hereby repealed.

SEC. 5. That this act shall be in force and effect from and
after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 51

AN ACT PROVIDING FOR THE ACQUISITION OF A STREET
RAILWAY SYSTEM BY THE CITY OF GOLDSBORO, AND
PROVIDING FOR AN ELECTION ON THE QUESTION OF
SUCH ACQUISITION.

The General Assembly of North Carolina do enact:

SECTION 1. The city of Goldsboro is hereby authorized (1) to Authority given
acquire, construct, improve, enlarge, equip, and operate an electric city.
street railway system in and for said city; (2) to issue, not ex- (1) To acquire
ceeding forty thousand dollars (\$40,000), of bonds of said city electric street
pursuant to the Municipal Finance Act, one thousand nine railway system.
hundred and twenty-one, for any one or more of said purposes, and (2) To issue bonds.
(3) to levy a sufficient annual tax pursuant to the Municipal (3) To levy
Finance Act, one thousand nine hundred and twenty-one, for the special tax.
purpose of paying the principal and interest of said bonds: *Pro- Provide: ordinan-
vided, however,* that the city of Goldsboro shall not exercise any ces to be adopted
of the powers aforesaid unless and until the board of aldermen and by aldermen and
ratified by vote of
people.

said city shall have adopted an ordinance pursuant to the Municipal Finance Act, one thousand nine hundred and twenty-one, providing for the issuance of bonds for one or more of the purposes aforesaid, and providing for the levy of a tax to pay said bonds, and said ordinance shall have been approved by a majority of the qualified voters of said city at an election as provided by the Municipal Finance Act, one thousand nine hundred and twenty-one. The powers hereby conferred shall be exercised by the board of aldermen of said city, except as herein otherwise provided.

Repealing clause.

SEC. 2. All acts and parts of acts inconsistent with this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 52

AN ACT AUTHORIZING THE COMMISSIONERS OF THE TOWN OF YOUNGSVILLE, NORTH CAROLINA, TO SELL A CERTAIN BOND ISSUE OF SAID TOWN KNOWN AS "YOUNGSVILLE ELECTRIC LIGHT BOND ISSUE" FOR LESS THAN PAR.

Preamble: bonds on hand.

Whereas the town of Youngsville has in hand a certain bond issue known as the "Youngsville Electric Light Bond Issue," and it appearing to the commissioners of said town that these bonds cannot be sold at their par value at this time, and it appearing that said commissioners have borrowed money on the faith and credit of said town to install said electric light system, amounting to twenty thousand dollars (\$20,000); and it further appearing that the said town is greatly in need of funds to be derived from said bond issue at this time: Now, therefore,

Sale at par cannot be made. Money borrowed in anticipation of bond sales.

Town in need of funds.

The General Assembly of North Carolina do enact:

Sale below par authorized.

SECTION 1. That it shall be lawful for the board of commissioners of the town of Youngsville to sell their twenty thousand dollar bond issue known as "Youngsville Electric Light Bond Issue," for less than its par value, should it appear necessary that same be sold for the best interest of said town to take up certain notes which have heretofore been issued on the faith and credit of said town by the said board of commissioners.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 53

AN ACT TO AUTHORIZE AND DIRECT AN ELECTION TO BE HELD IN BOOMER LOCAL SCHOOL-TAX DISTRICT, NUMBER 1, WILKES COUNTY, UPON THE QUESTION OF REPEAL OF SPECIAL SCHOOL TAX.

The General Assembly of North Carolina do enact:

SECTION 1. That it shall be the duty of the board of county commissioners of Wilkes County to order an election to be held in Boomer Local School-tax District, Number One, Wilkes County, at such time not later than six months after the ratification of this act as the said board of county commissioners may designate, to determine the question whether the special tax which is at present authorized and levied in said district shall be repealed, abolished and no longer levied. The said board of county commissioners shall, at least thirty days preceding said election, give notice of such election by publication in one or more newspapers having circulation in said school district, and by posting it in at least three public places in said school district.

County commissioners to order election.

Time limit.

Question to be determined.

Notice of election.

SEC. 2. That the said election shall be held and conducted in the same manner and under the same requirements of law as are now in force and prescribed for holding elections of the members of the General Assembly, as near as may be. The board of county commissioners of Wilkes County shall provide, prior to said election, a new registration of all qualified voters in said Boomer Local School-tax District, Number One, and for this purpose the said board of county commissioners is hereby authorized to prescribe and make such rules and regulations for the opening and closing of said registration books as it may see fit and proper, conforming as near as possible to the general election laws of this State, regarding the registration of voters.

Law governing election.

New registration.

Registration.

SEC. 3. That at the said election the qualified electors, who shall be in favor of the repeal and abolition of the said special school tax in said school district, shall vote a ballot on which shall be written or printed the words "For Special Tax Repeal," and those opposed shall vote a ballot on which shall be written or printed the words "Against Special Tax Repeal." The ballots cast at this said election shall be counted at the close of the polls and the return of said election shall be made to the said board of county commissioners of Wilkes County at its first regular meeting next following the election, and the said board shall canvass, tabulate, and declare the result of the election, which shall be recorded in the minutes of the board, and no other recording and declaring of the result of said election shall be necessary.

Ballots.

Count and return of votes.

Canvass and record of returns.

SEC. 4. That if a majority of the votes cast at said election shall be "For Special Tax Repeal," then the said special school

Effect of election.

tax in said Boomer Local School-tax District, Number One, Wilkes County, shall be deemed to be repealed, abolished, revoked, and shall be no longer levied. But if the majority of the votes cast at said election shall be "Against Special Tax Repeal," then the said special tax shall continue to be levied as it is at present.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 54

AN ACT TO VALIDATE A BOND ISSUE OF THE FREMONT GRADED SCHOOL DISTRICT IN WAYNE COUNTY.

Preamble: election
in favor of bond
issue.

Whereas at a special election held in the Fremont Graded School District in Wayne County on August tenth, one thousand nine hundred and twenty-one, on the question of issuing, not exceeding one hundred and fifty thousand dollars, of serial bonds of the Fremont Graded School District and levying a sufficient annual tax to pay the same, in accordance with the provisions of chapter forty-three of the Private Laws of one thousand nine hundred and twenty extra session, of North Carolina (the said bonds to bear interest at the rate of six per cent per annum, to run for a period of not more than thirty years, and to be issued for the purpose of erecting, enlarging, altering, and equipping school buildings, and acquiring land for school buildings, of the Fremont Graded School District), a majority of the qualified voters of said school district voted in favor of issuing said bonds and levying said tax, as required by section seven of Article VII of the Constitution of North Carolina; and

Preamble: law not
properly enacted.

Whereas said chapter forty-three of the Private Laws of one thousand nine hundred and twenty, extra session, was not enacted with all of the formalities required by the Constitution of North Carolina for the enactment of laws authorizing the issuance of bonds or the levying of taxes, and the said election and the proceedings leading up to said election may not have been held and taken in all respects in conformity with the requirements of law: Now, therefore,

Election not in
conformity with
law.

The General Assembly of North Carolina do enact:

Election, acts and
proceedings
legalized.

SECTION 1. The said election held in the said Fremont Graded School District in Wayne County on August tenth, one thousand nine hundred and twenty-one, and all acts and proceedings done or taken in or about the calling, holding or determination of the result of said election, or in or about the registration of voters for said election, are hereby legalized and validated, not-

withstanding any defect in said chapter forty-three of the Private Laws of one thousand nine hundred and twenty, extra session, or in said acts or proceedings. The board of trustees of the graded schools of the Fremont Graded School District in Wayne County is hereby authorized to issue not exceeding one hundred and fifty thousand dollars of bonds of said district, and the board of county commissioners of Wayne County is hereby authorized and directed to levy annually a sufficient special tax *ad valorem* on all taxable property in said school district for the purpose of paying the principal and interest of said bonds, in accordance with the provisions of said chapter forty-three of the Private Laws of one thousand nine hundred and twenty, extra session, and in accordance with the proposition adopted by the voters of the said school district at said election, and no further election shall be necessary in order to authorize the issuance of said bonds or the levying of taxes to pay the same.

Bond issue
authorized.

Special tax.

SEC. 2. The said chapter forty-three of the Private Laws of one thousand nine hundred and twenty, extra session, entitled "An act to authorize the board of trustees of the graded schools of the Fremont Graded School District to issue bonds for school purposes," ratified August twenty-fourth, one thousand nine hundred and twenty, is hereby reënacted. The said act shall have the same force and effect as if it were originally enacted in conformity with all requirements of the Constitution of North Carolina for the enactment of laws authorizing the issuance of bonds or the levying of taxes.

Law re-enacted.

Force and effect
of law.

SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.

Repealing clause.

SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 55

AN ACT AUTHORIZING ELM CITY IN WILSON COUNTY TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Elm City in Wilson County, is hereby authorized to issue bonds of said city, in an aggregate principal amount not exceeding twenty-five thousand dollars (\$25,000), for the purpose of constructing, installing or equipping an electric light system, for furnishing electric light to said town and its inhabitants, or for the purpose of paying or funding indebtedness heretofore or hereafter incurred for said purpose. All indebtedness heretofore incurred for said purpose

Bond issue
authorized.

Amount.

Purpose.

Prior indebtedness
validated.

Special tax.	is hereby legalized and validated. The said board of commissioners is hereby further authorized to levy a sufficient annual tax on all taxable property in said town for the purpose of paying the interest on said bonds and providing a sinking fund sufficient to pay the principal of said bonds at maturity, which tax shall be in addition to all other taxes authorized by law to be levied in said city.
Resolution for bond issue.	SEC. 2. The said bonds shall be authorized by resolution of the said board of commissioners; which resolution shall be in full force and effect immediately upon its passage. The said bonds shall be in such form and denomination, shall be executed in such manner, shall be payable at such time or times, not more than thirty years after their date, and shall bear interest at such rate, not exceeding six per cent per annum, as said board of commissioners may by resolution direct. They may be sold at public or private sale, with or without published notice thereof, at not less than par.
Form, denomination and execution of bonds.	
Maturity.	
Interest.	
Sale at not less than par.	
Powers additional.	SEC. 3. The powers conferred by this act are conferred in addition to and not in substitution for the existing powers of said town, and are not subject to any limitations or restrictions imposed by any other law. Nothing herein shall prevent the said town from issuing bonds under the Municipal Finance Act of one thousand nine hundred and twenty-one.
Repealing clause.	SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. SEC. 5. That this act shall be in force from and after its ratification. Ratified this the 15th day of December, A.D. 1921.

CHAPTER 56

AN ACT TO AUTHORIZE THE ISSUE OF BONDS AND THE LEVY OF A SPECIAL TAX FOR THE TOWN OF SILER CITY, CHATHAM COUNTY, TO PROVIDE WATER WORKS AND SEWERAGE.

The General Assembly of North Carolina do enact:

Call for election.	SECTION 1. That the board of town commissioners of the town of Siler City, Chatham County, is hereby authorized and empowered to call an election to be held in the town of Siler City, Chatham County, at such time within eighteen months after the ratification of this act as the said board shall designate, to determine the question "Shall bonds, in amount not to exceed one hundred thousand dollars, be issued to provide a system of water works and sewerage for the town of Siler City, and shall a special tax be levied upon all property in the town of Siler City to pay the interest on said bonds and retire same?" The
Time for election.	
Question to be determined.	

said board of town commissioners shall, at least thirty days preceding any such election, give notice of such election by publication in one or more newspapers having circulation in said town of Siler City, Chatham County, and by posting notice of said election in at least three public places in said town. Notice of election.

SEC. 2. That the said election shall be held and conducted in the same manner and under the same requirements of law as are now in force or may hereafter be prescribed for holding elections of the members of the General Assembly, as near as may be. The said board of town commissioners shall provide, prior to said election, a new registration of all qualified electors of the town of Siler City, Chatham County, and for this purpose the said board of town commissioners is hereby authorized and empowered to prescribe and make such rules and regulations for the opening and closing of said registration books as it may see fit and proper, conforming as nearly as possible to the general election laws of this State regarding the registration of voters. Law governing election.
New registration.
Rules for registration.

SEC. 3. That at the said election the qualified electors who shall be in favor of this issue of bonds and the levy of taxes as prescribed in section one of this act, shall vote a ballot on which shall be written or printed the words "For Water-works Bonds and Taxes." and those opposed shall vote a ballot on which shall be written or printed the words "Against Water-works Bonds and Taxes." The ballots cast at this said election shall be counted at the close of the polls and the return of said election shall be made to the said board of town commissioners at its first regular meeting next following the election, and the said board shall canvass, tabulate and declare the result of the election, which shall be recorded in the minutes of the board, and no other recording and declaring of the result of said election shall be necessary. Ballots.
Count and return of votes.
Canvass of returns.
Declaration and record of result.

SEC. 4. That if a majority of the votes cast at the said election shall be "For Water-works Bonds and Taxes," then the board of town commissioners of the town of Siler City, Chatham County, is hereby authorized, empowered and directed to issue and sell the bonds of the town of Siler City in an amount not to exceed one hundred thousand dollars (\$100,000). Bond issue authorized.
Amount.

SEC. 5. That the proceeds from the sale of said bonds shall be used by said board to construct, or cause to be constructed for the town of Siler City, an adequate system of water works and sewerage, and shall be used for no other purpose whatsoever: *Provided*, that the expense incident to the issue and sale of said bonds may be deducted from the proceeds of said sale; and, *Provided further*, that the purchaser or purchasers of said bonds shall not be required to see to the application of the said proceeds of said bonds. Use of proceeds of bonds.
Specific appropriation.
Proviso: expense of issue and sale of bonds.
Proviso: obligation of purchaser devolved.

SEC. 6. That the bonds authorized by this act shall be serial bonds, which shall mature in annual installments or series, the Maturity of bonds.

Proportion of installments.	last of which shall be payable not more than thirty years after the date of issue. No such installment or series shall be more than two and one-half times as great in amount as the smallest prior installment of the same bond issue. If any bonds of any one issue are not delivered simultaneously, the bonds outstanding at any one time shall mature as aforesaid.
Form and denominations.	SEC. 7. That the said bonds shall be issued in such form and denomination, and with such provisions as to time, place, and medium of payment of principal and interest as the said board of town commissioners of Siler City may determine, subject to the limitations and restrictions of this act. They shall bear interest at a rate not exceeding six per cent per annum, payable semi-annually. They may be coupon bonds or registered bonds, and if issued in coupon form may be made registerable as to principal, or as to both principal and interest. The said bonds shall be signed by the chairman of the said board of town commissioners of the town of Siler City, and countersigned by the secretary of said board, and the seal of said town shall be affixed to each of said bonds. The said coupons on said bonds shall bear the printed or lithographed or engraved <i>facsimile</i> signature of the said chairman of the said board and the said secretary of the said board. The delivery of bonds signed as aforesaid by officers in office at the time of such signing shall be valid notwithstanding any changes in officers occurring after such signature.
Interest.	
Coupon or registered.	
Authentication.	
Delivery.	
Sale of bonds. Notice of sale.	SEC. 8. Said bonds shall be sold upon sealed proposals at a price not less than par and accrued interest. Before any such sale there shall be published in a newspaper having circulation in the town of Siler City, a notice containing a description of the bonds to be sold, the place of sale, and the time limited for the receipt of sealed proposals, which time shall be not less than ten days after the first publication of such notice. The said board of town commissioners may cause such further publication of such notice to be made as said board may deem expedient.
Award.	All proposals submitted pursuant to such notice shall be opened, in public, and the bonds shall be awarded to the highest bidder, unless all bids are rejected.
Limit of amount.	SEC. 9. The amount of the bonds issued under the provisions of this act shall be determined by the said board, but may not exceed the sum of one hundred thousand dollars.
Special tax.	SEC. 10. That in case any bonds are issued under the authority of this act, the board of town commissioners of the town of Siler City, Chatham County, is hereby authorized, empowered, and directed to levy annually a special tax upon all taxable property in said town for the special purpose of paying the principal and interest of all said bonds issued under this act, as such principal and interest become due, which tax shall be in an amount sufficient for said purpose and shall be in addition to all other taxes authorized to be levied by said board of town com-

missioners. The said special tax shall be levied and collected at the same time and in the same manner as the other town taxes are levied and collected, and the proceeds arising from said collection of said special tax shall be kept separate and apart from the other town funds and shall be used for the purpose specified in this section and for no other purpose whatsoever.

Levy and collection.

Specific appropriation.

SEC. 11. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 57

AN ACT AUTHORIZING THE TOWN OF STANTONSBURG, IN WILSON COUNTY, TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of Stantonburg in Wilson County is hereby authorized to issue bonds of said town in an aggregate principal amount not exceeding twenty thousand dollars (\$20,000), for the purpose of constructing, installing or equipping an electric light system for furnishing electric light to said town and its inhabitants, or for the purpose of paying or funding indebtedness heretofore or hereafter incurred for said purpose. All indebtedness heretofore incurred for said purpose is hereby legalized and validated. The said board of commissioners is hereby further authorized to levy a sufficient annual tax on all taxable property in said town for the purpose of paying the interest on said bonds and providing a sinking fund sufficient to pay the principal of said bonds at maturity, which tax shall be in addition to all other taxes authorized by law to be levied in said city.

Bond issue authorized.

Amount.

Purpose.

Former debt validated.

Special tax.

SEC. 2. The said bonds shall be authorized by resolution of the said board of commissioners, which resolution shall be in full force and effect immediately upon its passage. The said bonds shall be in such form and denomination, shall be executed in such manner, shall be payable at such time or times, not more than thirty years after their date, and shall bear interest at such rate, not exceeding six per cent per annum, as said board of commissioners may by resolution direct. Said bonds may be sold at public or private sale, with or without published notice thereof, at not less than par.

Resolution for bond issue.

Form denomination and execution.

Maturity.

Interest.

Sale at not less than par.

SEC. 3. The powers conferred by this act are conferred in addition to and not in substitution for the existing powers of said town, and are not subject to any limitations or restrictions imposed by any other law. Nothing herein shall prevent the said town from issuing bonds under the Municipal Finance Act of one thousand nine hundred and twenty-one.

Powers additional.

Further bond issues.

Repealing clause. SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 58

AN ACT TO AMEND CHAPTER 74, PRIVATE LAWS OF 1901, IN REGARD TO THE TOWN OF EAST SPENCER.

The General Assembly of North Carolina do enact:

Public school
district.

SECTION 1. That sections twenty-one (21) and twenty-two (22) of chapter seventy-four, Private Laws of one thousand nine hundred and one, be and the same are hereby stricken out and repealed.

Municipal
finance act.

SEC. 2. That in lieu of "sections twenty-one and twenty-two" of chapter seventy-four, Private Laws one thousand nine hundred and one, the following is hereby substituted, to wit: "That the Municipal Finance Act of the State of North Carolina shall apply in all cases where loans are obtained, indebtedness incurred, or bonds issued or to be issued."

Repealing.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 59

AN ACT TO EMPOWER THE TOWN OF LOUISBURG TO CONVEY AN ABANDONED STREET.

Preamble: convey-
ance of street.

Whereas on the seventh day of March, one thousand nine hundred and five, Miss Mary T. King conveyed to the town of Louisburg a street forty-five feet in width extending from Elm Street to the eastern boundary of the power-house property, owned by said town "to be kept up and maintained as the other streets of the town"; and the said town opened up and used said street until the twenty-ninth day of March, one thousand nine hundred and thirteen, when the commissioners of said town, without the joinder of the mayor, by their deed attempted to convey to J. A. Turner the said street forty-five feet in width in exchange for another street running parallel thereto and owned by said J. A. Turner, which deed is recorded in book one hundred and ninety, page two hundred and fifty-two, Franklin registry; and

Opening and use
of street.

Exchange of prop-
erty with
J. A. Turner.

Whereas said J. A. Turner, after having conveyed lots situate on what was formerly situate said street to numerous people who have erected dwellings thereon, is now dead; and

Preamble: death of Turner.

Whereas under the provisions of section two thousand six hundred and eighty-eight of the Consolidated Statutes, section two thousand nine hundred and seventy-eight of The Revisal of one thousand nine hundred and five, the said town was without authority to convey property which had been dedicated to public use and used for a street without a special act of the General Assembly of North Carolina; and

Preamble: conveyance *ultra vires*.

Whereas by section two thousand six hundred and ninety of the Consolidated Statutes, section two thousand nine hundred and eighty of The Revisal of one thousand nine hundred and five, it is provided that the mayor of such municipalities shall make such conveyances after being duly thereto authorized by special act of the General Assembly: Therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That the town of Louisburg, through its mayor, be and it is hereby authorized and empowered to make conveyances in fee simple of the property formerly a street leading from Elm Street to the eastern boundary of the powerhouse property of the town of Louisburg, but exchanged for another street parallel thereto and now abandoned, to the several purchasers of lots upon said lands and now owned and occupied by them, without reservation of any rights therein to the said town.

Conveyance authorized.

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 60

AN ACT RELATING TO A BOND ISSUE OF GUILFORD COUNTY FOR A COUNTY TUBERCULOSIS HOSPITAL.

The General Assembly of North Carolina do enact:

SECTION 1. All acts and proceedings heretofore done or taken by the board of commissioners of Guilford County, or by an officer of said county relating to the calling or holding of a special election to be held in said county on December twentieth, one thousand nine hundred and twenty-one, on the question of issuing not exceeding one hundred thousand dollars par value of bonds of said county, for the purpose of securing lands and erecting or altering a building, and equipping the same, to be used as a hospital for the treatment of persons suffering with the disease known as tuberculosis, and also on the question of levying a special annual tax not to exceed five cents on the one

Acts and proceedings legalized.

Bond issue authorized.	hundred dollars valuation of property, and fifteen cents on the poll, to be used as a maintenance fund for said hospital, or relating to the registration of voters for said election, including the publication of notice of said election and registration, are hereby legalized and validated. If it shall be determined by the board of commissioners of Guilford County that a majority of the qualified voters of Guilford County, voting at said election, have voted in favor of issuing said bonds, then said board shall issue said bonds and shall levy annually on all taxable property in said county a tax for the special purpose of paying the principal and interest of said bonds as said principal and interest fall due, which tax shall be sufficient for said purpose and in addition to all other taxes authorized by law and to be levied in said county. If it shall be determined by said board of county commissioners that a majority of the qualified voters of Guilford County, voting at said election, have voted in favor of the levying of said special annual tax to be used as a maintenance fund for said hospital, the said board shall levy for said purpose a special annual tax on all taxable property in said county at a rate not exceeding five cents on the one hundred dollars valuation of said property.
Special tax for bonds.	
Special tax for maintenance.	
Form and denomination of bonds.	SEC. 2. The said bonds shall be in such form and denomination, shall be executed in such manner, shall be payable at such time or times, not exceeding forty years after the date of said bonds, and shall bear interest at such rate, not exceeding six per cent per annum, payable semiannually, as said board of county commissioners may by resolution direct. They shall be sold at not less than par.
Maturity.	
Interest.	
Sale at not less than par.	
Repealing clause.	SEC. 3. All acts and parts of acts inconsistent with this act are hereby repealed.
	SEC. 4. This act shall be in force from and after its ratification.
	Ratified this the 15th day of December, A.D. 1921.

CHAPTER 61

AN ACT RELATING TO STREET IMPROVEMENTS IN THE TOWN OF ROCKINGHAM.

The General Assembly of North Carolina do enact:

Powers as to local improvements.	SECTION 1. The town of Rockingham, in Richmond County, shall have power to cause local improvements to be made upon streets and parts of streets, and to defray the expense thereof by local assessments and by general taxation in all respects as provided by article nine of chapter fifty-six of the Consolidated Statutes of North Carolina, as amended, except that the persons signing the petition for any such local improvement need not
Local assessments and general taxation.	
Petition for improvements.	

represent a majority of all of the lineal frontage of the land abutting upon the street or streets or part of a street or streets proposed to be improved.

SEC. 2. For the purpose of paying the cost of any local improvement or improvements made or to be made as aforesaid, bonds of the town of Rockingham to an aggregate amount not exceeding two hundred and twenty-five thousand dollars are hereby authorized to be issued pursuant to the Municipal Finance Act, as said act shall exist at the time the proceedings for the issuance of said bonds are taken, except that it shall not be necessary to file with the clerk of said town the financial statement required by the Municipal Finance Act to be filed prior to the passage of bond ordinances, and it shall not be necessary to recite in any bond ordinance that any such financial statement has been filed; and no limitation or restriction imposed by the Municipal Finance Act upon the amount of bonds which a town may issue shall prevent the issuance of the full amount of bonds hereby authorized.

Bond issue authorized.

Financial statement not required.

Limitations removed.

SEC. 3. The powers conferred by this act are conferred in addition to and not in substitution for existing powers of the town of Rockingham; and nothing herein shall prevent the issuance of bonds of said town under the Municipal Finance Act or other acts applicable to said town.

Powers additional.

SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 62

AN ACT TO REVOKE THE CHARTER OF THE SAINTS' ARK AND TO PROVIDE FOR THE RETURN OF ITS PROPERTY TO THE DONORS THEREOF.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and seventy-five (375), of the Private Laws of one thousand eight hundred and ninety-three, be and the same is hereby repealed, and the charter of the corporation thereby created under the name and style of the "Saints' Ark" is hereby abrogated, revoked, and annulled, and said corporation abolished.

Law repealed.

Charter abrogated.

Corporation abolished.

SEC. 2. That the property of said Saints' Ark is hereby declared to have reverted to the donor or donors of same, or to the donor or donors of the money or property with which, or the proceeds of which, the present property was purchased, regardless of the number of times the original property may have been converted, and the proceeds reinvested, and for the purpose

Property to revert to donors.

Sheriff appointed trustee.

of winding up the affairs of said corporation and returning its property to the proper persons, the sheriff of Granville County is hereby appointed and constituted trustee of the property of said Saints' Ark, and he is hereby authorized and directed to turn over any of the personal property of said corporation to any person proving to his satisfaction that he or she was the donor of same or of the funds or property with which same was purchased, but he may require said person to execute a bond to indemnify him against loss in case any other person should within three years after the ratification of this act prove that he or she was in fact the donor of said property or any part thereof.

Property to be turned over.

Indemnifying bond.

Time for bringing actions. Sec. 3. That any person whose claim shall be disallowed by said sheriff, and any person claiming to be the donor of any of the real property of said corporation or of the money or property with which same was acquired, may at any time within three years after the ratification of this act, bring an action in the Superior Court of Granville County against the sheriff of said county as trustee of said corporation for the recovery of said property or any part thereof, the issues in said action to be tried by a jury. But before bringing any such action any person claiming any of the property of said corporation shall first publish, at least once a week for four successive weeks, in some newspaper published in Granville County, a notice of his or her intention to bring such action, specifying the property sought to be recovered, and such action must be commenced within sixty days after the last publication of said notice. Any other person also claiming the property or any part of same in respect to which an action shall have been brought, shall be allowed to intervene in said action and assert his or her rights to said property or any part thereof.

Notice of intent to bring action.

Action within 60 days.

Right of intervention.

Judgments. Sec. 4. That in any action brought as provided in the preceding section, the court shall by its judgment declare whether any claimant is the owner of the property claimed or any part thereof, and the court is hereby authorized to make any and all such orders and decrees with respect to said property as may be just.

Force of judgment. Any judgment rendered by the court declaring any person to be entitled to any of the real property of said corporation, shall have the force and effect of a deed conveying said real property to said person and may be recorded in the office of the register of deeds of said Granville County as well as on the judgment docket of said court.

Unclaimed property escheated. Sec. 5. That any of the property of said corporation to which no claim shall have been asserted within three years after the ratification of this act shall be deemed to have escheated to the State.

Sec. 6. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 63

AN ACT TO PROVIDE FOR THE EXTENSION OF THE CORPORATE LIMITS OF THE CITY OF LEAKSVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That whenever, in the judgment of the governing board of the city of Leaksville, it appears desirable and for the best interests of said city to enlarge or extend the corporate limits thereof, and it also appears to said board that such extension is for the best interest of the citizens of the territory proposed to be annexed, then the said governing board may call an election to determine whether or not such territory shall be annexed to said city.

SEC. 2. That such election shall be called by ordinance, which ordinance shall be introduced at least one week before its final passage, and when called up one week after its introduction, may then be amended or adopted at any subsequent meeting. Said ordinance shall (1) describe with reasonable certainty the territory proposed to be annexed to the city; (2) provide that the matter of annexation of such territory shall be submitted to the vote of the qualified voters of said city and the territory proposed to be annexed voting together; (3) provide for a new or special registration of the voters for said election; (4) designate the precincts and voting places of such election; (5) name the registrars and the judges of election; (6) and make all other necessary provisions for the holding and conducting of such election, the canvassing of the returns, and the declaration of the result. Said ordinance shall be published in a newspaper of said city once a week for four weeks prior to said election: *Provided*, that only one election shall be held under this act.

SEC. 3. That at any such election those voters who favor extending the city limits as provided by an ordinance calling such election shall vote ballots on which shall be written or printed the words, "For Extension," and those opposed shall vote ballots on which shall be written or printed "Against Extension." If at any such election a majority of the qualified voters shall be "For Extension," then from and after the date of such election the territory described in the ordinance calling such election shall be a part of the corporate territory of said city, and such territory and its citizens and property shall be subject to all laws, ordinances, and regulations in force in said city, and shall also be entitled to the same privileges and benefits as other parts of said city.

SEC. 4. That if the said city limits are extended as in this act provided, there shall be levied and collected in the territory annexed to said city, the same tax for all purposes that is collected in the old limits of said city.

Call of election authorized.

Ordinance calling election.

Specifications. Description of territory.

Voters.

New registration.

Precincts and voting places. Election officers.

Regulations for election.

Ordinance to be published. Proviso: only one election.

Ballots.

Effect of election.

Taxes.

Repealing clause. SEC. 5. All laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 6. This act shall be in full force and effect from and after ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 64

AN ACT TO REVISE, CONSOLIDATE AND AMEND THE CHARTER OF THE TOWN OF PINETOPS, EDGECOMBE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

- Incorporation. SECTION 1. That the inhabitants of the town of Pinetops, Edgecombe County, North Carolina, as the boundaries and limits of said town have heretofore been established, shall be and continue as heretofore they have been, a body politic, incorporated under and to be known by the name and style of the "Town of Pinetops," with all such powers, rights and duties as are herein provided, and as are provided by general laws and particularly by chapter fifty-six of the Consolidated Statutes, except wherein the same are contrary to or inconsistent with the provisions of this act.
- Corporate name.
- Corporate powers.
- Town government. SEC. 2. That all corporate powers and authority granted to said town shall be vested in and exercised by a mayor and board of commissioners of five members; that no person shall be eligible to the offices of mayor or commissioners unless he or she be a legally qualified voter and *bona fide* resident of said town. The mayor shall preside at all meetings of the commissioners and vote in case of a tie only.
- Eligibility for office.
- Mayor to preside at meetings. To vote in ties only.
- Town elections. SEC. 3. That an annual election shall be held in the said town on the first Monday in May of each and every year, and that at such election the mayor and said five commissioners shall be elected, and when qualified shall hold their office for the ensuing year and until their successors are elected and qualified.
- Term of office.
- Supervision and control of elections. SEC. 4. That the annual election for officers for said town herein provided for, and all other municipal elections whatsoever, hereafter held in said town shall be under the supervision and control of the said board of commissioners, and shall be held under and in accordance with the provisions of article three of chapter fifty-six of the Consolidated Statutes, in so far as the same shall not be inconsistent with this act.
- Law governing elections.
- Elections to fill vacancies. SEC. 5. That in case of a vacancy in the board of commissioners or the office of mayor, caused by death, removal or otherwise, the vacancy shall be filled by the board of commissioners until the successor in said office shall be duly elected and qualified.

SEC. 6. That at the first meeting of the board of commissioners after the annual election, which shall not be longer than ten days thereafter, the said board shall proceed to elect from among its members a mayor *pro tempore*, and a clerk to said board, who shall each hold said respective office for a term of one year. And said board at said meeting shall likewise elect a chief of police, and such other policemen as they may deem necessary, for such term or terms as said board may prescribe. The clerk to said board shall also be the treasurer of said town and also tax collector of said town, and shall have the same power and authority, by sale of real and personal property, and otherwise, and under same regulations, to collect the taxes imposed by the board of commissioners of said town, as the sheriffs now have or may hereafter have to collect State and county taxes, and on or before the first day of February of each year he shall pay over and account for in full the taxes of the year preceding: *Provided*, the board may extend the time for final settlement until the first day of May succeeding. The said board of commissioners is likewise authorized and empowered to create such other offices as may be deemed necessary, to define the powers and limit the terms of the holders thereof, to prescribe their duties and qualifications, and to fill said offices from time to time, and to abolish the same when deemed no longer necessary.

Mayor *pro tempore*.
Clerk.

Chief of police
and policemen.

Clerk to be treasurer
and tax collector.

Collection of taxes
by distress.

Yearly accounting.

Proviso: extension
of time.

Board to create
other offices.

SEC. 7. That the said mayor and commissioners shall, before they enter upon the duties of their respective offices, each take the oath prescribed for public officials in the State of North Carolina; and in case any of said officers, or any other officer or employee of said town, shall be guilty of misconduct, inability, or willful neglect of the performance of the duties of said office, he may be removed from his said office by the said board of commissioners.

Mayor and commissioners to
qualify.

Removal of
officers.

SEC. 8. That the mayor of the said town of Pinetops is hereby constituted an inferior court, and as such shall, within the corporate limits of said town and one-half mile thereof, have all power, jurisdiction and authority of a justice of the peace to preserve and keep the peace and try and punish all criminals committing offenses within said jurisdiction. The said mayor shall hear and determine all causes of action which may arise upon the ordinances or by-laws of said town, and enforce penalties by issuing execution upon any adjudged violation thereof, and shall execute and enforce all the rules and regulations made by the said board of commissioners. The said mayor shall have power to either fine or imprison, in his discretion, persons convicted before him of offenses over which he has jurisdiction. For the violation of any ordinance or by-law, made by the said board of commissioners, the said board may prescribe penalties not to exceed a fine of two hundred dollars or imprisonment not to exceed four months for each offense, and any person so convicted

Mayor and inferior
court.

Jurisdiction.

Enforcement of
ordinances.

Punishments.

Penalties for violation
of ordinances.

Right of appeal.

may be imprisoned in the town calaboose or county jail for the term specified in the order of the court. If the defendant in any case heard by the said mayor shall be dissatisfied with the judgment of said mayor or the court, he may appeal in like manner as provided for appeals from judgments of a justice of the peace.

Supervision and control of town property.

SEC. 9. That the board of commissioners shall have the general custody or supervision and control of all property of said town, of every description whatever, and may make and adopt such orders, rules and regulations respecting the same as may be deemed necessary and proper. Said board is hereby authorized and empowered to prescribe, adopt and enact all such ordinances, rules and regulations as may be necessary and proper for the government and good order of said town and for the maintenance of the public peace, quiet and good order and public health within said town and for a distance of one-half mile around and beyond the corporate limits thereof; and it may, whenever deemed necessary or proper, repeal, modify, or change the same, and said board shall have power to provide for the enforcement of all such ordinances, rules, and regulations by the imposition of a fine of not more than two hundred dollars, or imprisonment of not more than four months, in each instance, for the violation thereof.

Legislative powers.**Enforcement of ordinances.****Limit of punishment.****Power to purchase property.**

SEC. 10. That the said board of commissioners shall have the power to acquire by purchase, or otherwise, all such property as may be necessary for municipal purposes, both within and without the corporate limits, and may lease, acquire or purchase easements and rights of way, and for such purpose is hereby granted the right of eminent domain and may enforce the same by condemnation proceedings, and may use such property for municipal purposes including an adequate electric light and power system, water supply system, and sewerage system, and to that end said board may establish, operate and maintain all necessary light, power, water, and sewerage plants and systems, both within and without the corporate limits of said town, and in addition to supplying light, power, water, and sewerage for municipal purposes and use, may sell the same to its citizens, property owners, and others, under such rules, charges, and regulations as may be prescribed by said board.

**Right of eminent domain.
Public utilities.****Powers as to streets.**

SEC. 11. That the said board of commissioners shall have the power to provide for the maintenance and repair of all public streets, sidewalks, and alleys of said town, and to regulate and establish the width and grade of such public streets, sidewalks, and alleys, and to change the same when deemed advisable; to establish new streets, side-walks, public alleys, and parks when deemed a public necessity, and to discontinue and close the same when deemed no longer a public necessity; to provide for the paving of the streets and sidewalks of said town, and to prohibit

any obstruction or nuisance therein; and to own and regulate by all necessary ordinances a public burying ground or cemetery within or without the corporate limits of said town. Cemetery.

SEC. 12. That the said board of commissioners shall have power and authority, by ordinances duly passed, to regulate and license all public places of business and amusement, and to make all such other rules and regulations as may appear beneficial to the public welfare, and for the good government and best interests of said town. Licenses.

SEC. 13. That the board of commissioners shall have the power and is hereby authorized to annually levy and collect, for municipal purposes, an *ad valorem* tax on all real and personal property within the corporate limits of said town, and on all personal property owned by a resident of said town, including money on hand and solvent credits, and upon all subjects of taxation upon which an *ad valorem* tax is or may be imposed by the General Assembly, a tax not exceeding sixty-six and two-thirds cents on every one hundred dollars of valuation, and also a capitation tax of not more than two dollars on every taxable poll of male persons residing within the corporate limits of said town on the first day of May of each year. Taxing power.

SEC. 14. That the citizens of Pinetops and others liable to be taxed under this charter shall, on the day prescribed for listing State and county taxes, render on oath to the clerk of the town or to such other person as the board of commissioners may select, who is hereby constituted a commissioner of affidavits for that purpose, on a blank to be prepared and furnished by the board of commissioners, a list of their property and subjects for which they may be liable to be taxed. Limit of tax rate.

SEC. 15. That if any person shall fail to render to the tax lister the list of property and other taxables required to be rendered by this charter within the time prescribed for listing State and county taxes, then the board of commissioners is fully empowered to place the same on the tax lists and assess same, and such person or company shall pay double the tax assessed on any subject for which said person or company is liable to be taxed. Poll tax.

SEC. 16. That from the returns and lists made, as provided by this charter, the tax lister shall within thirty days after the expiration of the time for taking such lists, make out in a book kept or provided for that purpose an alphabetical list of the persons, companies and owners of property who have so made their returns, in the same manner as tax lists are made out by law for the State and county taxes; and the tax lister shall copy in the said book the assessments on file in the register's office for Edgecombe County of all property within the said town limits. Property to be listed for taxation.

SEC. 17. That the said board of commissioners may annually levy and collect a license tax upon all trades, professions, and franchises carried on or enjoyed within the said town, unless Tax lists.

Assessments.

License taxes.

License to be
secured in ad-
vance.

Punishment for
doing business
without license.

Term of licenses.
Not assignable.

Fees allowed
mayor and
policemen.

Police powers.

Application of
general law.

Repealing clause.

otherwise provided by law, and may license, tax, and regulate merchants, commission merchants, hotel and innkeepers, brokers, real estate and insurance agents or brokers, restaurants, barber shops, sellers of every kind of ciders, bitters or beverages, bowling alleys, billiard, pool, or bagatelle tables, boarding houses, banks, or banking agencies, drays, garages, liverymen, peddlers, photographers, auctioneers, express and telegraph offices, all entertainments for pay, except for religious or charitable purposes, circuses, shows, menageries, dealers in lightning rods, horse dealers, all dogs kept and owned within the corporate limits, and telephone companies; to license, tax, and regulate itinerant and transient vendors of goods, wares, or merchandise of every description whatever, second-hand dealers in goods, wares, and merchandise, and all other businesses or occupations whatsoever, which in the opinion of said board of commissioners should be proper subjects for police regulation. Any person, firm, or corporation desiring to engage in any business or occupation, or to do any act upon which a special or license tax is imposed by the said board, shall before engaging therein obtain a license from the mayor of said town, and any person, firm, or corporation engaging in any such business or occupation without first obtaining said license, shall be guilty of an offense against said town, and may be punished as provided in said ordinances. No license shall be issued for a longer period than one year, and shall not be assignable, except by permission of said board of commissioners.

SEC. 18. The mayor and the police officers of said town shall be entitled to the same fees as are now allowed or shall hereafter be allowed to justices of the peace and constables in the State of North Carolina; and the chief of police and other policemen of said town shall have the power to execute, anywhere within the limits of Edgecombe County, any writ, precept, or process, either civil or criminal, which shall be directed to them, generally, or to any one of them in his own proper name or in the name of his office, by any court of record, or not of record, organized and existing under the laws of this State.

SEC. 19. That chapter fifty-six of the Consolidated Statutes of North Carolina, and all powers and authority therein contained, so far as not inconsistent with this charter, be and the same is hereby incorporated and made a part of this charter.

SEC. 20. That all laws and clauses of laws inconsistent with this charter are hereby repealed.

SEC. 21. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 65

AN ACT TO AMEND THE CHARTER OF THE TOWN OF HOPE MILLS IN CUMBERLAND COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That the word "three" in the first line of section two (2) of the charter of the town of Hope Mills, in Cumberland County, as ratified on the ninth day of March, one thousand eight hundred and ninety-one, be stricken out and the word "five" inserted in lieu thereof; and that at the end of said section two (2) the following be added, to wit: "That all that territory embraced within the corporate limits of said town that lies on the west side of the track of the Atlantic Coast Line Railroad Company shall be and constitute Ward Number One (1), and from such ward there shall hereafter be elected at the time and in the manner of electing other town officials three (3) commissioners of said town; that all that territory embraced within the corporate limits of said town that lies on the east side of the track of the Atlantic Coast Line Railroad Company shall be and constitute Ward Number Two (2), and from said ward there shall hereafter be elected at the same time and in the manner of electing other officers of said town two (2) commissioners of the said town.

SEC. 2. That all laws and clauses of laws in conflict herewith are hereby repealed.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

Number of commissioners.

Ward number one.

Number of commissioners.

Ward number two.

Number of commissioners.

Repealing clause.

CHAPTER 66

AN ACT TO AUTHORIZE THE TOWN OF TRYON TO ISSUE BONDS FOR THE IMPROVEMENT OF STREETS AND SIDE-WALKS, AND TO IMPROVE AND EXTEND THE SEWERAGE SYSTEM.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Tryon be and it is hereby authorized to issue bonds, to an amount not to exceed one hundred thousand dollars (\$100,000), par value, for the purpose of improving and paving the streets and side-walks of the town, and improving and extending the sewerage system therein. The bonds authorized by this act, both principal and interest, shall be payable at such times and places and bear such rate of interest, not exceeding six per cent, and in such denominations as the board of commissioners of said town

Bond issue authorized.

Amount.

Purpose.

Interest.

Denominations. may determine. Said bonds shall be coupon serial bonds and shall mature within the maximum period of twenty years. The interest on said bonds shall be payable semiannually. Said bonds shall be sold for not less than their par value, after advertisement for two weeks in a newspaper published in said town, and after such other advertisement as the board of commissioners of said town shall deem advisable. Said bonds shall be signed by the mayor and clerk of said town, and shall have affixed thereto the corporate seal of said town. The coupons attached to said bonds shall bear either the real, engraved, or lithographed signatures of the mayor and clerk of said town.

Maturity.

Sale below par forbidden.
Advertisement of sale.

Authentication.

Specifications in ordinance for bond issue.

Ordinance to be published.

Notice of adoption.

SEC. 2. The ordinance providing for the issue of bonds shall contain the amount of bonds to be issued, the maximum rate of interest they shall bear, and the purpose for which said bonds are to be issued, and said ordinance shall be published once a week, for at least two weeks, in a newspaper published in said town. A notice substantially in the following form (the blanks being first properly filled in), with the printed or written signature of the clerk appended thereto, shall be published with the ordinance:

The foregoing ordinance was passed on the.....day of
....., 19....., and was first published on the.....
day of..... 19.....

Any action or proceeding questioning the validity of said ordinance must be commenced within thirty days after its first publication.

.....,
Clerk.

Ordinance submitted to election.

Notice of adoption.

Registration.
Election officers.
Notice of new registration.

Registration if new registration ordered.

SEC. 3. No bonds shall be issued under the provisions of this act until the ordinance authorizing issue of bonds shall have been submitted to the vote of the qualified voters of said town of Tryon, at an election which shall be called and held at such time as the board of commissioners shall determine. Upon the calling of an election under this act, notice of such election shall be published for at least two weeks in a newspaper published in said town, but publication of the bond ordinances shall be sufficient notice: *Provided*, said ordinance contains the call of said election and the time and place in which it is to be held. The board of commissioners may order a new registration of the voters and it shall appoint a registrar and two judges for said election. When a new registration is ordered notice of such new registration shall be published for two weeks in a newspaper published in said town, but publication of the bond ordinance shall be sufficient publication: *Provided*, said ordinance contains notice of such new registration, the name of the registrar and the day for opening and closing the registration books. If a new registration is ordered the registration books shall be kept open for the registration of voters for ten days, excluding Sundays

and holidays, immediately preceding the day for closing said registration books, and said books shall be closed for registration on the second Saturday preceding said election. During said period of registration, to wit, ten days preceding the second Saturday before said election, the registration books shall be kept open by the registrar from the hours of nine o'clock a.m. to five o'clock p.m. for the registration of all persons, residents of said town, qualified to register. On each Saturday during said registration period between said hours of nine o'clock a.m. and five o'clock p.m. the registrar shall be at the voting place in said town, with the registration books, for the purpose of registering the voters. On the second Saturday before said election the registrar shall have the books at the voting place in said town, between said hours of nine o'clock a.m. and five o'clock p.m. so that said books may be inspected and objection may be made to the registration of any persons whose names may appear on said books, as provided in case of general municipal elections.

Hours of
registration.

Saturdays.

Challenge day.

SEC. 4. At said election those favoring the issue of bonds shall vote a ballot on which shall be written or printed the words "For Bonds," and those opposed to the issue of bonds shall vote a ballot on which shall be written or printed the words "Against Bonds."

Ballots.

SEC. 5. On the day of said election the polls shall be open between the hours of eight o'clock a.m. and six o'clock p.m. After the polls have closed the votes shall be counted by the registrar and judges of the election, and the result announced. They shall make a return in writing to the clerk of said town within twenty-four hours after the close of the polls, which return shall be recorded by said clerk on the minutes of the board of commissioners. If the vote is in favor of said bonds the board of commissioners may, at any meeting after said election, enact an ordinance providing for the issue of said bonds.

Hours of voting.

Count of votes
and announcement
of result.

Returns.

Record of returns.

Ordinance for
bond issue.

SEC. 6. That for the purpose of paying the principal and interest on said bonds as the same may become due and payable, the board of commissioners of said town shall annually compute and levy, at the time of levying other town taxes, a sufficient tax on all property, polls, and other subjects of taxation, which are now and hereafter subject to taxation under the laws of this State, and said taxes shall be collected by the officers of said town charged with the collection of other town taxes in the same manner as other taxes are collected.

Special tax.

Collection.

SEC. 7. That for the purpose of more effectually carrying out the provisions and purposes of this act, the board of commissioners of said town be and they are hereby authorized and empowered to assess the real estate on the side of the street and abutting the side-walk to be paved, or repaved, in an amount not to exceed one-half of the cost of paving said side-walks, including necessary curbing, and such assessment shall be a lien on

Assessments on
abutting property.

Lien on real estate.

Notice of assessment.	the real estate abutting on said side-walks so improved. After the cost of such improvements have been ascertained, notice of the amount assessed against each lot or parcel of real estate shall be served on the owner, or owners, thereof, personally, or by publication for two weeks in a newspaper published in said town. Said notice shall require the owners of such real estate to appear at the office of the board of commissioners of said town on a day and hour named in the notice and file objections, if any they have, to such assessments, on which day said board of commissioners may change, modify or confirm any or all of the assessments made. Any landowner may appeal from the board of commissioners to the Superior Court of Polk County. Any and all assessments made against property under the provisions of this act may be paid in cash, at the option of the owner or owners, within thirty days from confirmation of such assessments, but if not paid in cash all such assessments shall be paid in equal installments of one, two, three, four, and five years, and such assessments shall be levied, collected, and paid at the same time and in the same manner as the taxes on said property are levied, collected and paid. All assessments shall bear interest at the rate of six per cent from the date of confirmation of such assessments.
Notice of hearing.	
Power to change or affirm assessments.	
Right of appeal.	
Payment of assessments.	
Collections of assessments.	
Assessments to bear interest.	
No petition required.	SEC. 8. No petition shall be necessary to levy assessments under the provisions of this act.
	SEC. 9. This act shall be in force from and after its ratification.
	Ratified this the 15th day of December, A.D. 1921.

CHAPTER 67

AN ACT TO VALIDATE THE FLOATING DEBT AND BOND ISSUE OF THE TOWN OF MOREHEAD CITY, NORTH CAROLINA.

Preamble: ordinance for bond issue.

Whereas, pursuant to the Municipal Finance Act of the Public Laws of one thousand nine hundred and seventeen, and amendments thereto, the board of aldermen of the town of Morehead City, on August eighth, one thousand nine hundred and twenty-one, passed an ordinance authorizing bonds by said town in the aggregate sum of forty thousand dollars (\$40,000); and

Preamble: loans in anticipation of bond sales.

Whereas the board of aldermen of the said town have heretofore borrowed money in anticipation of the receipt of the proceeds from the sale of the said bonds, and the money has been, or is now, being used for making improvements contemplated by the said ordinance, and an immediate sale of said bonds is necessary: Now, therefore,

The General Assembly of North Carolina do enact:

SECTION 1. That all the proceedings and acts heretofore done or taken by the said board of aldermen of the town of Morehead City in any way relating to said ordinance, proceedings, or other acts of said board in any way relating to the issue of said bonds, be and the same hereby are in all respects legalized, ratified, approved, and confirmed, notwithstanding any provision in the Municipal Finance Act, or amendments thereto, to the contrary.

Proceedings and
acts validated.

SEC. 2. That all floating indebtedness outstanding on the first day of December, one thousand nine hundred and twenty-one, incurred by the town of Morehead City, in good faith, for necessary expenses thereof, is hereby validated, notwithstanding any want of power or authority to incur the said indebtedness for the purpose for which said indebtedness was incurred, and notwithstanding any defect in the procedure for incurring the indebtedness, or any other defect or illegality, including a failure to observe any debt limit prescribed by law.

Floating debt
validated.

SEC. 3. Said bonds to be in coupon form and signed by the mayor and the clerk, and the coupons shall have the *faesimile* signature of either the mayor, the clerk, or the treasurer of said town. Said bonds shall bear the corporate seal, and they shall be payable at such place as the board of aldermen may determine. Such bonds may be designated as "Improvement Bonds," or such other name or title as the said board may determine.

Authentication of
bonds.

SEC. 4. Said bonds may be issued and sold as provided by ordinance authorizing the same notwithstanding anything to the contrary contained in the said Municipal Finance Act, as heretofore adopted, or as the same may hereafter be adopted, amended, or reenacted at the present session of the General Assembly, and notwithstanding any limit, condition, or restriction contained in said act or in other acts, general or special.

Entitlement of
bonds.

Issue and sale
of bonds.

SEC. 5. The said bonds, when issued, shall constitute the full, direct and valid obligations of said town of Morehead City.

Obligation of
bonds.

SEC. 6. That the board of aldermen of said town shall levy and collect annually at the time other taxes are levied and collected, a special tax upon all the taxable property of said town, of sufficient rate and amount to pay the principal and interest of said bonds, as the same becomes due.

Special tax.

SEC. 7. Said bonds may be disposed of at public or private sale, at such price as may be deemed by said board for the best interests of said town.

Sale of bonds.

SEC. 8. That all laws and parts of laws, general or special, in conflict with the provisions of this act, be and the same are hereby repealed.

Repealing clause.

SEC. 9. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 68

AN ACT TO PROHIBIT PUBLIC DRUNKENNESS ON THE
SOUTHERN ASSEMBLY PROPERTY.

The General Assembly of North Carolina do enact:

Acts declared
misdemeanor.

SECTION 1. That if any person shall be found drunk or intoxicated, or shall use profane and indecent language, or shall be guilty of disorderly conduct within the grounds of the Southern Assembly in Haywood County, or in any public place within one-half of a mile of the lands or grounds of said Southern Assembly, he shall be guilty of a misdemeanor and shall be fined or imprisoned, or both, within the discretion of the court.

Punishment.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 69

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS
OF THE CITY OF WILMINGTON TO EXPEND FUNDS
DERIVED FROM THE SALE OF CERTAIN BONDS OF
SAID CITY.

Preamble: sale of
bonds for bridge
over Smith's
Creek.

Whereas the city council of the city of Wilmington, being authorized so to do, have sold certain bonds of the city of Wilmington to the amount of fifteen thousand dollars, for the purpose of constructing a bridge over Smith's Creek on the Castle Hayne road, then located within the corporate limits of the city of Wilmington; and

Preamble: Smith's
Creek now outside
of city.

Whereas by special act of the Legislature said Smith's Creek is now located in the county of New Hanover and without the corporate limits of the city of Wilmington, and the board of commissioners of the city of Wilmington are not now responsible for the construction or maintenance of the said bridge; and

Preamble:
funds now on
hand.

Whereas said bridge has not been constructed and the proceeds from the sale of the said bonds, amounting to the sum of fifteen thousand dollars, is now held by the city of Wilmington; and

Preamble: ex-
penditure for
other purposes
desired.

Whereas the board of commissioners of the city of Wilmington are desirous of expending said moneys for other purposes: Now, therefore,

The General Assembly of North Carolina do enact:

Expenditure
authorized.

SECTION 1. That the board of commissioners of the city of Wilmington be, and they hereby are, authorized and empowered

to use the proceeds from the sale of the said bonds above referred to, or any part thereof, for general bridge purposes and for the construction of or repairs of any and all bridges now located within the corporate limits of the city of Wilmington.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in full force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 70

AN ACT TO RATIFY ADVANCEMENTS MADE BY GOLDSBORO TO THE GOLDSBORO ELECTRIC RAILWAY COMPANY.

The General Assembly of North Carolina do enact:

SECTION 1. That the expenditures heretofore made by the city of Goldsboro for or on account of the Goldsboro Electric Railway Company are hereby ratified. Expenditures ratified.

SEC. 2. That all laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 71

AN ACT AMENDING CHAPTER 38, PRIVATE LAWS, EXTRA SESSION 1920, MAKING THE OFFICE OF CITY SOLICITOR OF THE CITY OF ASHEVILLE ELECTIVE BY A VOTE OF THE PEOPLE.

The General Assembly of North Carolina do enact:

That chapter thirty-eight, Private Laws, extra session one thousand nine hundred and twenty, of the General Assembly of North Carolina, be and the same is hereby amended by striking out all of said act which provides for the appointment of a city solicitor, or prosecuting attorney for said city by the mayor and board of commissioners, and in lieu thereof providing that

there shall be elected by the people of said city, at the next general city election in the city of Asheville, and at each succeeding regular general city election thereafter, a city solicitor or prosecuting attorney for the police court of the city of Asheville. Said solicitor or prosecuting attorney shall in all respects be

Election of city solicitor.

Nomination and election.

Term.

nominated, voted for, and elected in the same manner and under the same rules and regulations as are provided for and apply to the election of the mayor and other elective officers of said city, and his term of office shall begin and expire at the same time as the terms of the mayor and other elective officers of said city.

That this act shall be in force from and after its ratification.
Ratified this the 15th day of December, A.D. 1921.

CHAPTER 72

AN ACT CONFERRING THE JURISDICTION OF A MAGISTRATE UPON THE RECORDER OF THE TOWN OF ROANOKE RAPIDS, HALIFAX COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Jurisdiction and powers.

SECTION 1. That the present recorder of the town of Roanoke Rapids, and his successors in office as recorder of the town of Roanoke Rapids, shall have, and they are hereby given, all the jurisdiction and powers which are or may hereafter be given to justice of the peace.

SEC. 2. That this act shall be in full force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 73

AN ACT TO CHANGE THE BOUNDARIES OF THE CITY OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Boundary of territory.

SECTION 1. That all of that portion of land within the boundaries of the city of Wilmington, North Carolina, bounded and described as follows: Beginning at low water mark at a point on Smith's Creek, where the southeastern abutment to the bridge of the Atlantic Coast Line Railroad Company is now located, and running thence along the eastern line of said right of way of the Atlantic Coast Line Railroad Company's property, southwardly and along the western line of Weldon Street to the center of Newbern Street, then eastwardly and along the center of Newbern Street to Green's Creek, thence northwestwardly with the meanderings of Green's Creek to where it intersects Smith's Creek, thence westwardly and along the meanderings of Smith's Creek to the beginning, the same being known as a part of Love

Grove, be and the same is hereby declared to be no longer within the limits of the city of Wilmington, and is hereby declared to be eliminated from the corporate limits of the said city of Wilmington, North Carolina.

Elimination from city.

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 74

AN ACT VALIDATING THE APPOINTMENT OF A SCHOOL ADVISORY BOARD BY THE BOARD OF COMMISSIONERS OF THE CITY OF ASHEVILLE.

Whereas the qualified voters of the city of Asheville, or a majority thereof, have voted for the issuance of five hundred and fifty thousand dollars city of Asheville school bonds; and

Preamble: school bonds authorized.

Whereas the board of commissioners of the city of Asheville agreed with said qualified voters to, and did, appoint a school advisory board to act with it in the expenditure of such funds as were authorized at said election, and other school matters; and

Preamble: agreement for appointment of board.

Whereas on the thirteenth day of September, one thousand nine hundred and twenty-one, in the office of the mayor-commissioners of public accounts and finances in the city hall, a resolution was unanimously adopted as follows: "It was moved by Mayor Roberts, seconded by Commissioner Fitzpatrick, that the members of the school advisory committee be clothed with equal powers with the board of commissioners in the expenditure of the five hundred and fifty thousand dollars school bonds voted by the people, and that the vote of the majority of the board of commissioners and advisory committee rule on all questions in connection with the expenditure of said funds. This motion, on being put to a vote, was unanimously adopted, all members of the board of commissioners voting aye": Therefore,

Preamble: resolution giving power to advisory board.

The General Assembly of North Carolina do enact:

SECTION 1. That R. H. McDuffie, W. M. Smathers, C. G. Worley, W. Vance Brown, and Mrs. Curtis Bynum, be and the same are hereby appointed as members of and constitute an advisory board to the mayor and commissioners of the city of Asheville, and each member of said advisory board shall be entitled to one vote and shall have equal voice and power in all matters pertaining to the expenditure of the five hundred and fifty thousand dollars school bonds, and in all other school matters pertaining to the public schools of the city of Asheville.

Advisory board.

Powers.

SEC. 2. That a majority of said advisory board and the mayor and the board of commissioners shall constitute a quorum for

Quorum.

the purpose of transacting any and all business pertaining to the public schools of the city of Asheville, and a majority of the vote cast in joint session in favor of any measure shall govern.

Term of office.

SEC. 3. That the term of office of such advisory board shall be coterminus and shall expire with the term of office of the mayor and board of commissioners from whom they receive their appointment: *Provided*, that in the event of a vacancy on such advisory board from any cause, the mayor-commissioner of public accounts and finances of the city of Asheville is hereby authorized and empowered to fill the vacancy by appointment.

Vacancies.

Repealing clause.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 15th day of December, A.D. 1921.

CHAPTER 75

AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL POLICE OFFICER FOR PUBLIC SCHOOL DISTRICT NO. 19, WANCHESE, DARE COUNTY.

The General Assembly of North Carolina do enact:

Appointment authorized.

SECTION 1. That the board of county commissioners of Dare County is hereby authorized, empowered, and directed to appoint and designate a special police officer who shall be authorized and directed to keep the peace, make arrests, enforce the criminal law, and serve civil and criminal process within the boundaries of Public School District, Number Nineteen, Wanchese, Dare County. The said police officer shall hold office until December, one thousand nine hundred and twenty-two.

Powers of office.

Term of office.

Arrests without warrant.

SEC. 2. In the performance of his duties as above stated, said officer is authorized, empowered, and directed to immediately arrest all parties violating any of the criminal laws of the State in his immediate presence or upon reliable information of the violation of said laws within twelve hours thereafter, and shall at once take the party so arrested to the nearest justice of the peace and obtain proper warrant for said arrest, whereupon the case shall be disposed of in the manner required by existing laws.

Warrant to be secured.

Vacancy.

SEC. 3. That in case of the death or resignation of any persons serving as said special police officer, the vacancy so created shall be filled for the unexpired term by the board of county commissioners of Dare County.

Badge.

SEC. 4. That the said special officer shall wear a badge stamped with the word "Wanchese Special Police," and shall receive as compensation for his services in serving civil or criminal process,

Compensation.

fifty per cent in addition to the fees now prescribed by law for such services, and, in addition thereto, such other compensation as the board of county commissioners of Dare County may see fit to pay.

SEC. 5. The said special police officer, as appointed by the said board of commissioners, shall hold his office until the first Monday of December, one thousand nine hundred and twenty-two, and until his successor shall have been duly elected and qualified, and his successor shall be elected at the regular election of one thousand nine hundred and twenty-two and biennially thereafter, in the same manner as provided by law for the election of town officers.

Term of office.

Election of successor.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 7. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 76

AN ACT TO AUTHORIZE THE BOARD OF CEMETERY COMMISSIONERS OF THE TOWN OF DUNN TO REMOVE CERTAIN BODIES BURIED IN GREENWOOD CEMETERY.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of cemetery commissioners of the town of Dunn, or any persons acting under their authority, be and they are hereby authorized to take up and remove from Lot Number Four, in Block "B" in Greenwood Cemetery, the body of an unknown person buried on said lot, said body having been buried thereon without the permission of the town of Dunn or of the board of cemetery commissioners of said town, or E. L. Parker, the present owner of said lot, and to rebury said body in some other suitable portion of said cemetery.

Removal and reburial authorized.

SEC. 2. That the board of cemetery commissioners of the town of Dunn, or any persons acting under their authority, be and they are hereby authorized to take up and remove from Lot Number Eleven, Block "C" in Greenwood Cemetery, the body of an unknown person buried on said lot, said body having been buried thereon without the permission of said town, or Mrs. W. F. Person, the present owner of said lot, and to rebury said body in some other suitable portion of said cemetery.

Removal and reburial authorized.

SEC. 3. That the board of cemetery commissioners of the town of Dunn shall keep a permanent record of the removal and reinterment of said bodies and of the location where said bodies are reinterred, and shall take care of and protect the place where

Record of removal and reinterment.

Protection of graves.

said bodies are reinterred in the same manner as other portions of Greenwood Cemetery are taken care of and protected by them.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 77

AN ACT TO REPEAL CHAPTER 83 OF THE PRIVATE LAWS 1919, INCORPORATING THE TOWN OF BURNSVILLE.

The General Assembly of North Carolina do enact:

Specific repeal.

SECTION 1. That chapter eighty-three of the Private Laws of North Carolina, one thousand nine hundred and nineteen, be and the same is hereby repealed, and any other act of the General Assembly heretofore passed, whether specifically referred to or not, tending to incorporate the town of Burnsville, is hereby repealed.

General repeal.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 78

AN ACT TO FIX THE CORPORATE LIMITS OF THE TOWN OF HAYESVILLE, CLAY COUNTY.

The General Assembly of North Carolina do enact:

Laws specifically repealed.

SECTION 1. That chapter thirty-five, Private Laws, extra session one thousand nine hundred and twenty, and chapter sixteen, Private Laws one thousand nine hundred and nineteen, be and the same are hereby repealed.

Corporate limits.

SEC. 2. That the corporate limits of the town of Hayesville, Clay County, shall be determined by a line running as follows: Beginning at the mouth of O. L. Anderson's ditch on Hiawassee River, runs thence up said ditch to Mrs. McClure's line; thence along the same course to Town Creek, thence up said creek to the public road running from Hayesville to Hiawassee, Georgia, thence east with said road to the southeast boundary line of the Hayesville Graded School property, thence with said line to T. C. Scrogg's south boundary line, thence with T. C. Scrogg's south boundary line to Ed. L. Anderson's south boundary line, thence with said line to Town Creek, thence down said creek to the

mouth of D. B. Kitron's branch, thence up said branch to D. B. Kitron's woodland, thence through to W. L. Matheson's gate, thence east to the branch in Mrs. McClure's pasture, thence down said branch to Hiawassee River, thence up said river to the point of beginning.

SEC. 2 (a). That the board of aldermen of the town of Hayesville is hereby authorized and empowered to submit to the qualified electors of the town of Hayesville the question: "Shall the provisions of this act be enforced?" If at said election a majority of the qualified electors of the town of Hayesville vote for the enforcement of the aforesaid provisions, then the said provisions shall be in full force and effect. But the aforesaid provisions of section one and section two of this act shall not be effective until same shall have been approved by such vote of a majority of the qualified electors.

Aldermen authorized to submit act to electors of town.

Act not effective until approved by electors.

SEC. 3. That all laws and clauses in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 79

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF WILLIAMSTON, NORTH CAROLINA, TO USE THE MONEY DERIVED FROM THE SALE OF STREET IMPROVEMENT BONDS, FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners of the town of Williamston, North Carolina, is hereby authorized to use, for any purpose or purposes which it may deem proper, the twenty-five thousand dollars (\$25,000) now on hand in the city treasury realized from the sale of twenty-five thousand dollars (\$25,000) street improvement bonds, dated June first, one thousand nine hundred and nineteen: *Provided, however*, that said money shall be used only for the payment of necessary expenses of said town, or for the payment of indebtedness incurred for necessary expenses.

Authority to use funds.

Amount and source.

Proviso: limitation of use.

SEC. 2. All laws and clauses of laws in conflict are hereby repealed.

Repealing clause.

SEC. 3. This act shall be in full force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 80

AN ACT TO AMEND SECTION 1, OF CHAPTER 86, OF THE PRIVATE LAWS OF 1919, AND CHANGE THE BOUNDARY OF THE CITY OF NEW BERN.

The General Assembly of North Carolina do enact:

Boundary
extended.

New limits
defined.

SECTION 1. That the first twelve lines of section one of chapter eighty-six of the Private Laws of one thousand nine hundred and nineteen, be amended so as to read as follows: "That the boundary of the city of New Bern be, and the same hereby is, extended so as to include therein the territory bounded and described as follows, viz.: Beginning at a point in the channel of Neuse River, where the northern line of Avenue B, as shown on the map of the city of New Bern, its subdivisions and additions, compiled by Raymond Eagle, C. E., in the year one thousand nine hundred and thirteen, will intersect said channel, and running thence southwestwardly with the northern line of Avenue B, extended, and with the northern line of Avenue B to the eastern line of Griffith Street; thence northwestwardly with the eastern line of Griffith Street to the southern line of North Avenue; thence southwestwardly with the southern line of North Avenue to the eastern line of National."

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 81

AN ACT TO ENABLE THE CITY OF BURLINGTON TO RAISE AND APPROPRIATE MONEY FOR SCHOOL PURPOSES.

The General Assembly of North Carolina do enact:

Power to raise
and appropriate
money.

SECTION 1. That in the manner and subject to the limitations now or hereafter provided by the Constitution and laws of the State, the city of Burlington may, from time to time, raise and appropriate money for erecting, enlarging, altering, repairing, and equipping school buildings, and acquiring land or land and buildings for school purposes.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 82

AN ACT TO VALIDATE SCHOOL BONDS OF THE TOWN OF LINCOLNTON.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts and proceedings, including the election proceedings, leading up to and including the sale of two hundred thousand dollars (\$200,000) school bonds of the town of Lincolnton, dated May first, one thousand nine hundred and twenty-one, are hereby ratified, and when said bonds shall have been duly executed, delivered, and paid for at not less than their par value, they shall constitute valid and binding obligations of said town.

Acts, proceedings, and election ratified.

Bonds valid and binding.

SEC. 2. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 83

AN ACT TO AUTHORIZE THE MOORESVILLE GRADED SCHOOL DISTRICT TO ISSUE BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of building, rebuilding, improving, and maintaining the graded school buildings and constructing a school auditorium in connection with the graded school building in the Mooresville Graded School District, and furnishing the same with suitable equipment, the board of trustees of the Mooresville Graded School District shall issue and sell bonds in the sum of fifty thousand dollars (\$50,000), the same being first authorized by a majority vote of the qualified voters of the Mooresville Graded School District, and the board of commissioners of the town of Mooresville and their successors in office shall have the power, and it shall be their duty, when requested in writing by the board of trustees of Mooresville Graded School District, to call an election for the Mooresville Graded School District in order that the voters therein may vote upon the question of whether there shall be issued bonds of the said school district amounting to fifty thousand dollars, or not, for the purposes herein set out. The election herein provided for shall be held under the general law governing municipal elections. The board of commissioners of the town of Mooresville may, in their discretion, order an entirely new registration. At said election those favoring the issuance and sale of bonds as herein provided for, shall vote a ballot upon which shall be writ-

Purpose of bond issue.

Bond issue authorized.

Amount.
Issue to be authorized by election.

Order for election.

Question to be voted on.

Law governing election.

New registration may be ordered.

Ballots.

Effect of election.	ten or printed the words "For School Bonds," and those opposed shall vote a ballot upon which shall be written or printed the words "Against School Bonds." If a majority of the qualified voters in said election shall vote "For School Bonds," then the board of trustees of said school district shall be authorized to issue bonds in the sum of fifty thousand dollars; but if a majority of the qualified voters of the graded school district shall vote "Against School Bonds," then the said board shall not have authority to issue said bonds.
Special tax.	SEC. 2. For the purpose of paying the interest on all bonds issued and sold under this act, there shall be levied and assessed each year at the time of levying and assessing taxes, a tax sufficient to pay the interest on said bonds so issued and sold and the cost of collecting and disbursing said taxes: <i>Provided</i> , that in the levy and assessment of such taxes the constitutional equation shall be preserved between the property and polls.
Proviso: constitutional equation.	
Sale below par forbidden. Denominations and form.	SEC. 3. The bonds provided for in this act shall not be sold for less than par value; shall be issued in denominations of not less than one hundred dollars each, nor more than one thousand dollars each, and shall be interest-bearing coupon bonds, bearing interest at the rate of six per cent per annum, payable semi-annually, and maturing thirty years from the date of issue. Said bonds shall be prepared and issued by order of the board of trustees of the Mooresville Graded School District, and shall be signed by the chairman of the board of trustees of the Mooresville Graded School District, and attested by the clerk of said board.
Interest.	
Maturity.	
Authentication.	
Repealing clause.	SEC. 4. All laws and clauses of laws in conflict with this act are hereby repealed. SEC. 5. That this act shall be in force from and after its ratification. Ratified this the 19th day of December, A.D. 1921.

CHAPTER 84

AN ACT TO REPEAL SECTION 7, OF CHAPTER 431, OF THE PUBLIC-LOCAL LAWS OF 1921, AND TO RE-ENACT CHAPTER 16 OF THE PRIVATE LAWS OF THE EXTRA SESSION OF 1920.

The General Assembly of North Carolina do enact:

Specific repeal of section.	SECTION 1. That section seven of chapter four hundred and thirty-one of the Public-Local Laws of one thousand nine hundred and twenty-one, be and the same is hereby repealed.
Law re-enacted.	SEC. 2. That chapter sixteen of the Private Laws of the extra session of one thousand nine hundred and twenty, being an act

entitled "An act to authorize the board of school commissioners of Gastonia Graded School District, Gastonia, North Carolina, to issue bonds for school purposes," be and the same is hereby reenacted in its entirety.

SEC. 3. That all resolutions or proceedings had, and all acts and things done or performed, by the Gastonia Graded School District, or the board of commissioners of the Gastonia Graded School District, or by the city council of the city of Gastonia, under the provisions of said chapter sixteen of the Private Laws of extra session of one thousand nine hundred and twenty, since the twentieth day of August, one thousand nine hundred and twenty, are hereby validated and ratified, and declared to be properly had and done.

Resolutions and proceedings validated.

SEC. 4. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 85

AN ACT RELATING TO LOCAL IMPROVEMENTS IN THE TOWN OF HAZELWOOD, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. "Street improvements" includes the grading, re-grading, paving, repaving, or otherwise hard-surfacing of the public streets and alleys, and the construction, reconstruction and altering of curbs, gutters, and drains in public streets and alleys;

Definitions.
Street improvements.

"Side-walk improvements" includes the grading, construction, reconstruction, and altering of side-walks in public streets or alleys, and may include curbing and guttering;

Sidewalk improvements.

"Local improvements" means any work undertaken under the provisions of this act, including "street improvements, sidewalk improvements, or the laying of sewer lines," the cost of which is to be specially assessed, in whole or in part, upon property abutting directly on the street where such work is done;

Local improvements.

"Frontage" when used in reference to a lot or parcel of land, abutting directly on a local improvement, means that side or limit of the lot or parcel of land, which abuts directly on the street where such local improvement is made.

Frontage.

SEC. 2. The board of aldermen of the town of Hazelwood shall have power to cause local improvements to be made and to defray the expense of such improvements by local assessments, by general taxation.

Local improvements authorized.

Payment of expense.

Resolution for improvements.	SEC. 3. Upon determining to make any local improvements, the board of aldermen shall pass a resolution to that effect, which resolution shall be published. Such resolution shall designate by
Description of improvements.	general description the improvements to be made and the street or streets, or parts thereof, whereon the work is to be effected,
Apportionment of cost.	and the proportion of the cost thereof to be assessed upon abutting property, and the terms and manner of payment. If the resolution shall provide for a street or side-walk improvement, it
Sewer and water connection.	may, but need not, direct that the owners of property abutting on the improvement shall connect their several premises with water mains, and sewer pipes located in the street adjacent to their several premises in the manner prescribed in such resolution, and that unless such owners shall cause such connection to be made on or before a day specified in such resolution, the board of aldermen will cause the same to be made.
Character and type of construction. Material.	SEC. 4. The board of aldermen shall have power to determine the character and type of construction and of material to be used in making local improvements, and whether the work shall be done by the forces of the municipality or by contract.
Apportionment of assessment.	SEC. 5. That one-half of the total cost of sidewalk improvements made by the municipality shall be specially assessed upon the lots and parcels of land abutting directly on the improvements, according to the extent of their respective frontages thereon, by an equal rate per foot of such frontage, and the remainder of such cost shall be borne by the municipality at large. No lands in the municipality shall be exempt from local assessment. That one-fourth of the total cost of any street improvement made by the municipality shall be assessed upon the lots and parcels of land abutting on each side of said street improvements according to the extent of their respective frontages thereon: <i>Provided</i> , the board of aldermen shall, by resolution, at the time of authorizing said improvements, specify and state that the adjacent lots and parcels of land shall be assessed with one-fourth of such cost, and if said board shall not, at said time, so declare, then the municipality shall bear all the expense of said street improvement.
Basis of apportionment.	
No lands exempt.	
Proviso: resolution to specify assessment.	
Ascertainment of cost.	SEC. 6. Upon the completion of any local improvement the board of aldermen shall compute and ascertain the total cost thereof. In the total cost shall be included the interest paid, or to be paid, on notes or certificates of indebtedness issued by the municipality to pay the expenses of such improvement pursuant to this act incident to the improvement and the assessment therefor. The board of aldermen must thereupon make an assessment of said total cost pursuant to the provisions of this act, and for that purpose must make out an assessment roll in which must be entered the names of the persons assessed as far as they can ascertain the same, and the amount assessed against them respectively, with a brief description of the lots or parcels
Interest included.	
Assessment rolls.	

<p>of land assessed. Immediately after such assessment roll has been completed, the board of aldermen shall cause it to be deposited in the office of the clerk of the municipality for inspection by parties interested, and shall cause to be published a notice of the completion of the assessment roll, setting forth a description in general terms of the local improvements, and the time fixed for the meeting of the board of aldermen for the hearing of allegations and objections in respect to the special assessment, such meeting not to be earlier than ten days from the first publication or posting of said notice. Any number of assessment rolls may be included in one notice. At the time so appointed, or at some other time to which it may adjourn, for that purpose, the board of aldermen or a committee thereof must hear the allegations and objections of all persons interested who appear, and may make proof in relation thereto. The board of aldermen may thereupon correct such assessment roll, and either confirm the same or may set it aside, and provide for a new assessment. Whenever the board of aldermen shall confirm an assessment for a local improvement, the clerk of the municipality shall enter on the minutes of the board of aldermen the date, hour, minutes and time for such confirmation, and from the time of such confirmation the assessments embraced in the assessment roll shall be a lien on the real property against which the same are assessed, superior to all other liens and encumbrances. After the roll is confirmed a copy of the same must be delivered to the tax collector or other officer charged with the duty of collecting taxes. If a person assessed is dissatisfied with the amount of the said charge, he may give notice, within ten days after such confirmation, that he takes an appeal to the next term of Superior Court of Haywood County, and shall, within five days thereafter, serve a statement of facts upon which he bases his appeal, but said appeal shall not delay or stop the said improvements. The said appeal shall at the said term of court be tried as other actions at law. The board of aldermen may correct, cancel, or remit any assessment for a local improvement, and may remit, cancel or adjust the interest or penalties on any such assessment. The board of aldermen has the power, when in its judgment there is any irregularity, omission, error, or lack of jurisdiction in any of the proceedings relating thereto, to set aside the whole of the local assessment made by it, and thereupon to make reassessment. In such case there shall be included as a part of the costs of the public improvements involved, all interest paid or accrued on notes or certificates of indebtedness or assessment bonds issued by the municipality to pay the expenses of such improvements, and the proceeding shall be in all respects as in cases of local assessment and such reassessment shall have the same valid and binding force as if it had originally been properly made.</p>	Deposit of assessment rolls.
	Notice of completion of rolls.
	Date for hearing.
	Hearing.
	Revision of assessment roll.
	Record of confirmation.
	Lien on real property.
	Delivery for collection.
	Right of appeal.
	Trial of appeal.
	Correction of assessment.
	Reassessment.
	Interest included.
	Force of reassessment.

Options as to
payments.

Interest on
installments.

Maturity of
installments.

Sale of property.

Payment in full.

Notice for pay-
ment of assess-
ments.

Penalty for delay
in payment.

Proviso; maturity
of installments.

Penalty for non-
payment.

Discount allowed.

Power to borrow
money.

Notes or certifi-
cate of indebted-
ness.

SEC. 7. The property owner shall have the option and privilege of paying for said improvements hereinbefore provided for in cash, or if they should so elect, they shall have the option and privilege of paying said assessments in not less than three nor more than ten, equal annual installments, as may have been determined by the board of aldermen in the resolution authorizing such improvements. Said installments shall bear interest at the rate of six per centum per annum from the date of the confirmation of the assessment roll, and in case of the failure or neglect of any property owner to pay said installment when the same shall become due and payable, then and in that event all of said installments remaining unpaid shall at once become due and payable, and said property and franchises shall be sold by said municipality under the same rules, regulations, rights of redemption, and savings as are now prescribed by law for the sale of land for unpaid taxes. The whole assessment may be paid at the time of paying any installment by payment of the principal and all interest to that date.

SEC. 8. That after the expiration of twenty days from the confirmation of an assessment roll the tax collector or such other officer of the municipality as the governing body may direct so to do, shall cause to be published in the newspaper published in the municipality, or if there be no such newspaper, shall cause to be posted in at least three public places therein, a notice that any assessment contained in said assessment roll, naming and describing it, may be paid to him at any time before the expiration of thirty days from the first publication of said notice. In the event said assessment be not paid within said time the same shall bear interest at the rate of eight per cent per annum from the date of the confirmation of the assessment roll, and shall become due and payable on the date on which taxes are payable: *Provided*, that where an assessment is divided into installments one installment shall become due and payable each year on the date on which taxes are due and payable. If any assessment or installment thereof is not paid when due, it shall be subject to the same penalties as are now, or may be, prescribed for unpaid taxes, in addition to the interest herein provided for.

SEC. 9. That the board of aldermen may in their discretion allow a two per cent discount for payment in cash of a whole assessment, if paid within thirty days after the assessment roll is placed in the hands of the tax collector.

SEC. 10. At any time before the cost of any local improvement shall be computed and ascertained as provided in section eight of this act, the board of aldermen may, from time to time, by resolution, authorize the treasurer to borrow money to the extent required to pay the cost of any such improvement or to repay any money borrowed under this section with interest thereon. The resolution authorizing any such loan or loans may provide

for the issue of notes or certificates of indebtedness of the municipality, or both, payable either on demand or at a fixed time, not more than twelve months from the date thereof and bearing interest not exceeding six per centum per annum. Said notes or certificates may be sold at public or private sale, or pledged as security for temporary loans, as the governing body may by such resolution direct. Any temporary indebtedness incurred under the authority of this section, with the interest thereon, may be paid out of moneys raised by the issue and sale of "Local Improvement Bonds" to be issued and sold as hereinafter provided or may be included in the annual tax levy.

Maturity.
Sale or pledge
of notes.

Payment of loans.

SEC. 11. After the board of aldermen of said town of Hazelwood shall have levied said assessment against the property abutting upon said street or streets, the city clerk or person designated, shall have prepared from such assessment roll and delivered to the tax collector or person designated, a well bound book styled "Special Assessment Book," which shall be so ruled as to conveniently show:

Special assess-
ment.

SEC. 12. Whenever an assessment for any local improvement shall have been confirmed, the board of aldermen may, by resolution direct that the amount of the expense of such improvement shall be raised by the issuance of serial bonds of the municipality to be known as "Local Improvement Bonds." Such bonds shall be payable at such time or times not exceeding fifteen years from their date, as the board of aldermen shall determine. There shall be raised annually by tax upon all the taxable property of the municipality, after the issuance of any such bonds, a sum sufficient to meet and pay one-third the interest thereon, as the same becomes due: *Provided, however,* that if such bonds be made payable in annual installments, substantially equal in amount, the first of which installments shall be payable within two years from the date of such bonds and the last within fifteen years of such date, the board of aldermen authorizing such bonds, in lieu of providing for a sinking fund to meet the principal of such bonds, shall cause to be raised by taxation in each year in which an installment or principal shall be payable, or in the next preceding year, an amount sufficient to meet one-third of said installment in addition to one-third the annual tax during the life of the bonds to provide for the payment of the interest accruing thereon. Two or more improvements may be included in a single issue of local improvement bonds.

Local improve-
ment bonds.

Maturity of bonds.

Special tax.

Proviso: tax for
installments of
bonds.

SEC. 13. That it shall not be necessary for the board of aldermen to wait for an assessment for any local improvement to be confirmed, as provided in the preceding section, but the board of aldermen may, in its discretion, cause an estimate to be made of the cost of any local improvements contemplated on any street, or streets, of the said town, and may issue and sell the local

Advance
estimates.

Bonds for esti-
mated cost.

improvement bonds, as provided in this act, in advance of the resolution and assessments for said local improvements, as hereinafter provided, in amounts sufficient to cover the estimated cost thereof.

Denomination of
bonds.
Interest.

Authentication.

Sale of bonds.
Recitals.

Pledge of faith
and credit of town.

Special taxes.

Temporary loans.

Limit of indebted-
ness.

SEC. 14. Bonds authorized to be issued by this act shall be of such denomination, bear such rate of interest, not exceeding eight per cent per annum, and be payable at such places, and be in such form as the governing body may by resolution provide. Such bonds shall be signed by the mayor or other chief executive officer, and the clerk of the town of Hazelwood, and shall bear the seal of such municipality. Coupons attached to such bonds shall bear the *facsimile* signature of one or more of said officers. The bonds may be sold at public or private sale. They shall recite that they are issued pursuant to the authority of this act and of the resolution authorizing the issuance thereof, which shall be conclusive evidence of their validity, and of the regularity of their issuance.

SEC. 15. The full faith and credit of the town of Hazelwood shall be pledged for the payment of the principal and interest of all of its local improvement bonds, notes, and other obligations issued under this act. For the purpose of paying such principal and interest the governing body shall have the power to levy sufficient taxes upon all the taxable property in the municipality and to borrow money temporarily upon notes of the municipality in anticipation of taxes of the same or the succeeding fiscal year.

SEC. 16. That the total indebtedness created by virtue of this act shall at no time exceed five per cent (5%) of the total assessed valuation of all real and personal property in the town of Hazelwood.

SEC. 17. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 86

AN ACT TO PERMIT THE COMMISSIONERS OF HILLSBORO TO CONVEY A CERTAIN LOT OF LAND TO THE HILLSBORO LIBRARY ASSOCIATION.

The General Assembly of North Carolina do enact:

Conveyance
authorized.

SECTION 1. The commissioners of the town of Hillsboro are hereby authorized and empowered to convey the lot of land with such boundaries as said commissioners may deem necessary on which the present library building is situated, to the Hillsboro Library Association immediately upon its incorporation, said lot

being situated at the northwest intersection of Tryon and Churton Streets in the town of Hillsboro, said lot, however, to be used only for the purpose of erecting thereon a building for the library.

Specific purpose
of conveyance.
Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 87

AN ACT TO REPEAL CHAPTER 218 OF THE PRIVATE LAWS OF 1921. RELATING TO THE TOWN OF ROSEBORO, SAMPSON COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and eighteen of the Private Laws of one thousand nine hundred and twenty-one, be and the same is hereby repealed.

Law specifically
repealed.

SEC. 2. That the boundaries of the town of Roseboro shall be those boundaries fixed by chapter one hundred and twenty-three of the Private Laws of one thousand nine hundred and eleven.

Boundaries.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

General repealing
clause.

SEC. 4. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 88

AN ACT TO RATIFY AND TO VALIDATE CERTAIN PROCEEDINGS OF THE TOWN OF CHERRYVILLE FOR THE MAKING OF LOCAL IMPROVEMENTS AND THE LEVYING OF ASSESSMENTS THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That the proceedings heretofore taken by the board of commissioners of the town of Cherryville for the making of local improvements within said town by the construction of certain side-walks therein, which work as undertaken upon the petition of property owners, be and the same are hereby ratified in all respects, and when the said board of commissioners shall assess one-third of the cost of such side-walk work upon the lots or parcels of land abutting directly on the improvements according to the extent of their respective frontages thereon, by an

Proceedings
ratified.

Lien of assess-
ments.

Issuance of bonds.

equal rate per foot of such frontage, in the manner prescribed by chapter fifty-six, Public Laws one thousand nine hundred and fifteen, the said assessments shall be a lien on the real property against which the same are assessed; and in the issuance of bonds for the purpose of making such local improvements, the amount of the bonds equal to the amount of the assessments shall be treated as being issued for the payment of such assessments.

SEC. 2. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 89

AN ACT TO GIVE THE ASSENT OF THE GENERAL ASSEMBLY OF NORTH CAROLINA FOR THE SALE AND CONVEYANCE OF A SMALL TRACT OF ITS REAL ESTATE BY THE CHARLOTTE PARK AND RECREATION COMMISSION.

Preamble: assent of General Assembly necessary to sale.

Whereas the Charlotte Park and Recreation Commission cannot sell and convey its real estate without the assent of the General Assembly of North Carolina, and the governing body of the city of Charlotte; and

Preamble: exchange of lands desired.

Whereas it appears that the said park and recreation commission desires to exchange a small strip of its land hereinafter described for another small strip of land hereinafter described, belonging to the vestry of St. Martin's Episcopal Church, which exchange appears to be advantageous to the said park and recreation commission: Now, therefore,

The General Assembly of North Carolina do enact:

Conveyance of land authorized.

SECTION 1. That the Charlotte Park and Recreation Commission, of Charlotte, North Carolina, is hereby empowered and authority is hereby given it to make, execute, and deliver to the vestry of St. Martin's Episcopal Church, its successors and assigns, a deed in fee simple (upon the execution and delivery to said commission for lands hereinafter described of a deed in fee simple), conveying the following described tract of land, lying contiguous to Independence Park: From a cross mark within a circle cut into the asphalt pavement in the intersection of Independence Park Drive, said mark being in the edge of East Seventh Street as originally laid out, fifty feet wide and twenty-five feet southwesterly from the center line of East Seventh Street as now constructed, and three hundred and twelve feet measured southeasterly parallel to said center line, the original corner on said street between lots thirteen and fourteen of block twenty-two of

Condition precedent.

Description of land to be conveyed.

Piedmont, according to the plot thereof recorded in book two hundred and two, page four hundred and eighty-five, in the Mecklenburg County registry, and being the original southeasterly corner of said block, formerly marked by a stone; runs thence with the original line of Independence Park (said line being at an angle of thirty-six degrees fifty-five minutes to the left from the original southwesterly edge of East Seventh Street, produced, northwesterly thirteen and three-tenths feet to an iron stake, the present southeasterly corner of said block twenty-two, in the new southwesterly edge of East Seventh Street since its improvement and widening to the width of sixty-six feet, said iron stake being three hundred and one and sixty-five-one hundredths feet measured southwesterly along said new edge of street from the new corner between said lots thirteen and fourteen in said block twenty-two, and being the point of beginning of this description; and runs thence continuing the same course on the old line of Independence Park two hundred and ten feet to an iron stake; thence southeasterly parallel to East Seventh Street seventy feet to an iron stake in the northeasterly edge of the thirty-foot Independence Park driveway as now graded; thence with the said edge of driveway one hundred and sixty feet to the point of beginning, containing as described four thousand four hundred and thirty-five square feet, more or less, and being a portion of Independence Park.

As the consideration for the conveyance of the above described property, the vestry of St. Martin's Episcopal Church, or the body of said church which holds legal title to the tract herein-after described, is to make, execute and deliver to the said Charlotte Park and Recreation Commission a deed in fee simple conveying property described as follows:

Consideration for conveyance.

Beginning at an iron stake, the rear corner between lots thirteen and fourteen of block twenty-two of Piedmont, according to the plat thereof recorded in book two hundred and two, page four hundred and eighty-five of the office of the register of deeds of said Mecklenburg County, and running thence southeasterly, parallel to East Seventh Street, forty-five feet to a point in the old line of Independence Park; thence with the said old line of Independence Park (at an angle of thirty-six degrees and fifty-five minutes to the left from the forward prolongation of the last named line) sixty-nine and ninety-two-one hundredths feet to an iron stake; thence northwesterly, parallel to East Seventh Street, one hundred and nine-tenths feet to an iron stake in the old line between lots thirteen and fourteen of said block twenty-two; thence with the line of said lot thirteen southwesterly forty-two feet to the point of beginning; containing as described three thousand one hundred square feet, more or less.

Description of land to be conveyed to commission.

If the said park and recreation commission may desire ownership of the same, there may also be included in the above

Additional land.

described tract of land to be conveyed by the said church a small tract containing one thousand and five square feet, more or less, lying contiguous to the said tract on its northeasterly side.

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 90

AN ACT TO IMPOSE A LICENSE TAX UPON DEALERS IN SECOND-HAND CLOTHING IN ELIZABETH CITY.

The General Assembly of North Carolina do enact:

License tax.

SECTION 1. That the board of aldermen of Elizabeth City is hereby authorized, empowered, and directed to levy, impose, and collect each year a license tax of fifty dollars upon every person, firm or corporation engaged within the corporate limits of Elizabeth City in the business of selling used or second-hand suits, overcoats, shirts, or underwear, or any other used or second-hand clothing of any description.

License secured in advance.

SEC. 2. That all licenses or permits required under section one of this act shall be applied for and the license paid to the city auditor before the person, firm, or corporation engages in the said business of selling second-hand clothing.

Duration of license.

SEC. 3. That each license issued under the provisions of this act shall be dated September first of each year, and shall expire on the thirty-first day of August, next succeeding its issuance.

License to be in actual possession.

SEC. 4. That it shall be unlawful for any person to carry on the trade or business of selling second-hand clothing in Elizabeth City without having in his actual possession at the time of carrying on said trade or business the said license or the duly authenticated duplicate thereof.

Misdemeanor.

SEC. 5. Any person, firm, or corporation violating the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not more than fifty dollars, or imprisoned not more than thirty days, within the discretion of the court.

Punishment.

Sales for charitable purposes.

SEC. 6. That this act shall not be applicable to the sale of second-hand clothing for charitable purposes only, or to the sale of second-hand clothing which has been the personal wearing apparel of the person selling same.

Personal wearing apparel.

Repealing clause.

SEC. 7. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 8. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 91

AN ACT TO AMEND CHAPTER 104 OF THE PRIVATE LAWS OF 1913, AND CHAPTER 8 OF THE PRIVATE LAWS OF 1917, SAME BEING THE CHARTER OF THE TOWN OF MORGANTON.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of article one of chapter one hundred and four of the Private Laws of one thousand nine hundred and thirteen, be and the same is hereby stricken out, and in lieu thereof the corporate limits of the town of Morganton shall include all the territory situate within one and one-eighth miles of the center of the courthouse, excepting from said boundary any land belonging to the Western Hospital for the Insane and School for the Deaf; and, *Provided*, when said corporate limits reach the Catawba River it shall run with the meanders of said river. Corporate limits.

SEC. 2. That section one of chapter eight of the Private Laws of one thousand nine hundred and seventeen, be stricken out, and in lieu thereof it is hereby ordained that the territory embraced within the corporate limits, as provided within section one of this act, shall be divided into four wards, to be known as Ward Number One, Ward Number Two, Ward Number Three and Ward Number Four. Division into four wards.

Ward Number One shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected by Sterling Street and running thence with Sterling Street, in a northwestern direction to the street in front of the First Presbyterian Church, and thence with the street in front of said church, passing the residence of Hugh Howard, to Green Street, and thence in the same direction as Green Street runs to the McDowell Ford road and thence with McDowell Ford road to the corporation line, thence in an easterly direction with the corporation line as it meanders to Union or East Union Street, thence a westerly course, with said Union Street to the beginning. Ward number one.

Ward Number Two shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected by Sterling Street, and running thence with Sterling Street, a southeastwardly direction, to the tracks of the Southern Railway Company, thence with the road leading to the State Hospital for the Insane to the corporation line, thence a northwardly direction with the corporation line as it meanders to Union or East Union Street, thence with said Union Street to the beginning. Ward number two.

Ward Number Three shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Ward number three.

Street where intersected by Sterling Street and running thence with Sterling Street a southeastwardly direction, to the tracks of the Southern Railway Company, thence with the road leading to the State Hospital for the Insane to the corporation line, thence with the corporation line as it meanders to the old Asheville road, thence with said road to Union or West Union Street, thence with said street to the beginning.

Ward number
four.

Ward Number Four shall contain the territory within the following boundaries, to wit: Beginning at the center of Union Street where intersected with Sterling Street and running thence up Union or West Union Street as it meanders to the old Asheville road, thence with said road to the corporation line, thence an eastwardly direction with the corporation line as it meanders to the McDowell Ford road, thence with the McDowell Ford road to Green Street, thence with Green Street to the street leading by the residence of Hugh Howard and passing in front of the First Presbyterian Church to Sterling Street, thence with Sterling Street to the beginning.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 92

AN ACT EXTENDING THE CORPORATE LIMITS OF THE TOWN OF SOUTHERN PINES.

The General Assembly of North Carolina do enact:

Description
stricken out.

SECTION 1. That section two of chapter two hundred and fourteen of the Private Laws of one thousand nine hundred and five, be and the same is hereby amended as follows: Strike out lines sixty-five, sixty-six, sixty-seven, sixty-eight, sixty-nine, and the first two words on line seventy of section two of said chapter two hundred and fourteen, reading as follows: "thence as the line of the said old hedge-row south fifty-five degrees fifty-one minutes forty seconds west six thousand one hundred and fifty-one feet to the old Morganton road; thence as the said old Morganton road north seventy-eight degrees twenty minutes thirty seconds west nine hundred and thirty-four and one-tenth feet," and inserting in lieu thereof the following: "thence as the line of said old hedge-row south fifty-five degrees fifty-one minutes forty seconds west three thousand five hundred and one feet to the northerly line of Connecticut Avenue and Raeford road as shown on the plan entitled 'subdivision plan of Weymouth

Description
inserted.

Heights' and filed in the office of the register of deeds of Moore County, North Carolina; thence with the northerly line of the said Raeford road one thousand four hundred and twenty-nine feet to the south corner of lot number eighty-four in Southern Bell Telephone Company's line, as shown on above mentioned plan of Weymouth Heights; thence south forty-six west with said telephone line seven hundred and eighty-two feet to the south corner of lot number seventy-nine; thence with said telephone line south fifty-seven west two thousand four hundred and three feet to the south corner of lot number nineteen, in the boundary line of Weymouth Heights, as shown on above mentioned map of Weymouth Heights; thence with said boundary line north thirty-three west one thousand nine hundred and sixty-seven feet to the old Morganton road; thence on the said old Morganton road north seventy-eight degrees twenty minutes thirty seconds three hundred and seventy-five feet": *Provided*, that nothing herein contained shall be construed to authorize or empower the board of aldermen of the town of Southern Pines, or any officer, or department of said town, to lay out, establish, change, alter, or interfere with any of the streets, side-walks, alleys, parks, driveways, or public places now existing in the new portion of the corporate limits of said town of Southern Pines, known as Weymouth Heights, as designated or delineated on the map of said Weymouth Heights, as recorded in the office of the register of deeds for Moore County.

Proviso: interference with Weymouth Heights not allowed.

Sec. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 93

AN ACT PROVIDING FOR THE ISSUANCE OF BONDS OF SALUDA SCHOOL DISTRICT IN POLK COUNTY IN EXCHANGE FOR AN EXISTING SCHOOL BUILDING.

The General Assembly of North Carolina do enact:

SECTION 1. That the twenty thousand dollars bonds heretofore voted in Saluda School District at an election held on the twentieth day of February, one thousand nine hundred and twenty, for the purpose of building and equipping a public school-house in and for said school district, may, at the option of the board of education of Polk County, be exchanged for an existing building in said district and the lot on which the same is situated: *Provided*, said existing building is determined by said county board of education to be adapted to use as a school building and to be of the value of not less than the par value

Exchange of bonds for building.

of the bonds for which it is exchanged and the accrued interest thereon, if any: *Provided*, that the judgment of the county board of education shall be conclusive as to the value of the building and the lot so taken in exchange.

Proceedings validated. SEC. 2. Any and all proceedings heretofore taken by the board of education of Polk County in the matter of acquiring such existing building in exchange for bonds of the school district are hereby validated and confirmed.

Election ratified. SEC. 3. Any and all proceedings of the board of county commissioners of Polk County, and the election officers appointed by them in calling, giving notice of, holding, and canvassing said election, be and the same are hereby ratified and confirmed, and the said bonds when delivered in exchange as herein provided are declared to be the valid obligations of said Saluda School District, and the tax provided by said election shall annually be levied on all subject to taxation within the district so long as any of said bonds shall be outstanding.

Bonds declared valid.
Tax to be levied.
Repealing clause. SEC. 4. All acts and parts of acts in conflict with this act are hereby repealed.

SEC. 5. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 94

AN ACT TO RE-ENACT AN ACT TO AUTHORIZE THE BOARD OF GRADED SCHOOL TRUSTEES OF GRANITE FALLS TO ISSUE BONDS AND TO VALIDATE AND RATIFY AN ISSUE OF \$75,000 BONDS OF GRANITE FALLS SCHOOL DISTRICT, AND THE ACTS AND PROCEEDINGS AUTHORIZING SAID BONDS, AND TO PROVIDE FOR THE LEVY OF TAXES TO PAY SAID BONDS.

Preamble: act authorizing bond issue. Whereas the General Assembly at its regular session of one thousand nine hundred and twenty-one, did enact or attempt to enact an act to authorize the board of graded school trustees of Granite Falls to issue bonds, which act was enrolled and ratified the twenty-eighth day of February, one thousand nine hundred and twenty-one; and

Preamble: error in journal. Whereas the Journal of the Senate of said session failed to show that a certain amendment made by the House of Representatives was concurred in by the Senate; and

Preamble: election held. Whereas the question of issuing seventy-five thousand dollars bonds of said district was submitted to the qualified voters thereof at an election held on the twelfth day of April, one thousand nine hundred and twenty-one, as provided in said act, after a

new registration, and a majority of all the registered voters voted in favor of the issuance of said bonds: Now, therefore, in order that all defects in the enactment of said law and in the authorization of said bonds may be cured

The General Assembly of North Carolina do enact:

SECTION 1. That the act entitled "An act to authorize the board of graded school trustees of Granite Falls to issue bonds," as enrolled and ratified on the twenty-eighth day of February, one thousand nine hundred and twenty-one, be reënacted in all its parts, including sections one, two, three, four, five, six and seven, but such reënactment shall not be construed as requiring another election to be held on the question of the issue of the bonds authorized thereby, an election which determined such question in the affirmative having already been held.

Law re-enacted.

Further election not necessary.

SEC. 2. That notwithstanding any alleged lack of authority for the holding of an election to authorize said bonds, either under the aforesaid act or under the general acts authorizing the issuance of school bonds, all the acts and proceedings of the board of trustees of Granite Falls School District and of the board of elections of Caldwell County and of the registrar and judges of said election in calling, holding, and canvassing the same, and in authorizing the issuance of, advertising, and selling said bonds be and hereby are validated, ratified, and confirmed, and the said bonds when delivered and paid for, pursuant to said proceedings, shall be the valid and legally binding obligations of said school district.

Election and proceedings validated.

Bonds legal and binding.

SEC. 3. In case the said bonds shall not be accepted and paid for by the purchaser to whom they were heretofore awarded by said board of trustees within thirty days after the ratification of this act, said board of trustees may sell said bonds at private sale, at not less than par and accrued interest, and in making such sale may, if it deem best, pass new resolutions providing for the issuance of the bonds with maturities and other details differing from those heretofore fixed.

Sale of bonds.

SEC. 4. That neither in the enactment nor in the reënactment of said act shall this General Assembly be deemed to have intended to establish or change the lines of said district, the boundaries of said district having been established prior to the tenth day of January, one thousand nine hundred and seventeen, and if the boundaries of said district as established prior to said tenth day of January, one thousand nine hundred and seventeen, shall be found to differ in any respect from the boundaries as set forth in the aforesaid act, then the statement of boundaries in said act shall be deemed to be incorrect and to be of no effect.

Boundaries of district.

SEC. 5. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 95

AN ACT TO AUTHORIZE THE BOARD OF GRADED SCHOOL TRUSTEES OF THE TOWN OF CHAPEL HILL TO ISSUE BONDS AND LEVY A TAX FOR THE PURPOSE OF BUYING LAND TO ENLARGE THE SCHOOL SITE, CONSTRUCTING AND EQUIPPING ADDITIONS TO THE PRESENT SCHOOL BUILDING, AND CONSTRUCTING AND EQUIPPING A BUILDING FOR PHYSICAL EDUCATION; AND AMENDING SECTION 2 OF CHAPTER 2, PRIVATE LAWS OF 1909.

The General Assembly of North Carolina do enact:

Purposes.

SECTION 1. That for the purpose of raising money to buy land for enlarging the school site, for erecting and equipping additions to the graded school building of the town of Chapel Hill, and for erecting and equipping a building for physical education, the board of graded school trustees of the town of Chapel Hill is hereby authorized and empowered to issue bonds to an amount not exceeding forty thousand dollars, payable at such time and place as it may designate, which bonds shall bear interest not exceeding six per cent per annum, payable semiannually at such time and place as the said board may designate, and evidenced by coupons attached to said bonds. Said bonds shall be signed in the name of the board of graded school trustees of the town of Chapel Hill, under its corporate seal, by the chairman of said board and attested by its secretary, and shall mature serially, in such amounts as may be determined by said board, within a period not exceeding thirty years from the date of their issue.

Bond issue authorized. Amount.

Interest.

Authentication.

Sale below par forbidden.

Specific appropriation of proceeds.

Proviso: payment of existing debts.

SEC. 2. That none of said bonds shall be disposed of by sale, exchange, hypothecation, or otherwise for less price than their par value, nor shall said bonds or their proceeds be used for any other purposes than those declared in section one of this act: *Provided*, that this shall not be construed to prevent said board of graded school trustees of the town of Chapel Hill from using a part of said proceeds for the payment of obligations already assumed for permanent improvements such as additions to the building and equipment of said school plant.

Special tax.

SEC. 3. That for the purpose of providing for the payment of said bonds at their maturity, the board of aldermen of the town of Chapel Hill shall, annually, at the time of levying the municipal taxes, commencing with the fiscal year beginning the first Tuesday in May next following the election provided for in this act, levy and lay a special tax on all polls and on all real and personal property subject to taxation within said graded school district, sufficient to meet the annual accruing interest on said bonds and to retire such serial bonds of this issue as may fall due each year.

<p>SEC. 4. That such taxes shall be collected by the town tax collector as other municipal and public graded school taxes are collected; and the said tax collector shall pay over the same to the treasurer of the board of graded school trustees of the town of Chapel Hill, and the treasurer of the said board of trustees shall pay out said taxes only upon warrant of said trustees, signed by the chairman and secretary of said board of trustees, and exclusively for the purpose for which they are collected: <i>Provided</i>, that the said tax collector and said treasurer shall enter into bond in such amounts as the said board of trustees may direct; that of the tax collector conditioned upon the faithful collection and paying over of said taxes and other funds which may come into his hands for the use of said graded schools, and that of the treasurer for the proper disbursement and safe-keeping of the same; and the said tax collector and treasurer shall be allowed such compensation as the board of trustees may fix.</p>	<p>Collection and settlement.</p> <p>Vouchers.</p> <p>Proviso: tax collector and treasurer to give bonds.</p> <p>Compensation.</p>
<p>SEC. 5. That the provisions of this act with reference to the issuing of said bonds and the levying of said taxes shall be submitted to the qualified voters of Chapel Hill Graded School District for ratification or rejection at an election to be called by the board of aldermen of the town of Chapel Hill, and such election shall be held as elections for mayor and aldermen are held in said town, and all of the provisions of the law governing the holding of such municipal elections shall apply thereto, unless otherwise herein provided. Notice that such an election has been called shall be published for not less than thirty days in some newspaper published in Chapel Hill, which notice shall state the purpose of such election and the time and place at which it is to be held, and shall recite, in full or in substance, sections one, two, and three of this act. At such election those qualified voters in said Chapel Hill Graded School District, favoring the issuing of said bonds and the levying of the particular taxes herein provided for, shall vote a written or printed ballot containing the words "For School Bonds," and those opposing the issue of said bonds and the levying of such taxes shall vote a ballot containing the words "Against School Bonds." It shall be the duty of the registrar and judges of election to count and declare the result thereof; and if it shall be found that a majority of the qualified voters voted "For School Bonds," it shall be deemed and held that a majority of the qualified voters of said graded school district are in favor of the provisions of this act, and the same shall immediately be in full force and effect. Said registrar and judges of election shall prepare and file with the town clerk an abstract setting forth the number of votes cast, and how cast, in the graded school district at such election; the number of qualified voters therein, and the result of such election as judicially determined and declared by them. The</p>	<p>Election on bond issue and tax.</p> <p>Law governing election.</p> <p>Notice of election.</p> <p>Ballots.</p> <p>Count of votes and declaration of result. Effect of election.</p> <p>Returns.</p>

Copy to school trustees.

town clerk shall forthwith furnish to the said board of graded school trustees of the town of Chapel Hill a copy thereof, to the correctness of which he shall certify over his hand and the corporate seal of the town of Chapel Hill.

Issue and sale of bonds.

SEC. 6. That should the result of such election be favorable to such bond issue, said board of graded school trustees of the town of Chapel Hill shall without unnecessary delay proceed to issue the same in an amount not exceeding the sum of forty thousand dollars, and make sale thereof in such manner and upon such time as said board of trustees shall deem most advantageous, subject, however, to the provisions of this act.

Further elections.

Should the result of this election be unfavorable to the bond issue, then the board of aldermen of the town of Chapel Hill may at any time thereafter call another election and again submit the same question as herein involved to the qualified voters of Chapel Hill School District, under the same rules and regulations as provided for this election, including a new registration as provided for in section nine of this act; and if at any subsequent election the majority of votes cast shall be "For School Bonds," it shall have the same force and effect as if no election had previously been held.

Sale of bonds.

SEC. 7. That the said bonds may be sold at private or public sale, with or without notice, subject, however, to the provisions of this act, as the board of graded school trustees of the town of Chapel Hill may direct, and the proceeds turned over to the treasurer of the board of graded school trustees of the town of Chapel Hill, who shall give such bond for the safe-keeping and disbursement of said fund as shall be required of him by said board: *Provided*, that the purchasers of said bonds shall in no case be required to see to the application of the proceeds of the sale thereof.

Custody of proceeds.

Bond of treasurer.

Proviso: obligation of purchaser divested.

Tax rate.

SEC. 8. That section two of chapter two, Private Laws of one thousand nine hundred and nine, entitled "An act to establish graded schools in the town of Chapel Hill," be and the same is hereby amended by striking out the words "thirty-three and one-third cents" whenever they occur in said section, and substituting in lieu thereof the words "fifty cents," and further by inserting the words "and fifty cents" immediately after the words "one dollar" in said section, so that this section, as amended, shall read as follows: "That for the purpose of defraying the expenses of the public graded schools provided for in this act, the board

Levy of school tax.

of aldermen of the town of Chapel Hill shall, annually, and at the time of levying the municipal taxes, commencing with the fiscal year beginning the first day of June, one thousand nine hundred and nine, levy a particular tax on all subjects of taxation within the limits of said graded school district on which said board of aldermen may now or hereafter be authorized to lay and levy taxes for any purpose whatsoever; said particular

tax to be such percentage on all real and personal property and on all other subjects of taxation as the board of graded school trustees herein provided for shall recommend; the rate in no case, however, to be less than twenty-five nor more than fifty cents on the one hundred dollars valuation of real and personal property, and not less than seventy-five cents nor more than one dollar and fifty cents on each taxable poll." Tax rates.

SEC. 9. That a new registration of the qualified voters of the said graded school district shall be required for the purpose of said special tax election, and said registration shall be conducted in accordance with the requirements for election of mayor and aldermen of said town of Chapel Hill. New registration.

SEC. 10. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 11. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 96

AN ACT TO AMEND CHAPTER 10, PRIVATE LAWS OF NORTH CAROLINA, EXTRA SESSION OF 1920.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter ten (10), Private Laws of North Carolina, session of one thousand nine hundred and twenty, be and the same is hereby amended by adding at the end of section four of said act the following: "The said bonds and coupons, or notes issued in anticipation of the sale of said bonds, or for the payment of the interest thereon, shall be exempt from all State, county, and municipal taxation or assessments, direct or indirect, general or special, which may be imposed for general revenue or otherwise, and the interest thereon shall not be subject to taxation as for incomes, nor shall said bonds and coupons or notes issued in anticipation of the sale of said bonds, or for the payment of the interest thereon, or installment of principal, be subject to taxation when constituting a part of the surplus of any bank, trust company, or other corporation." Bonds and notes
exempt from
taxation.

SEC. 2. That chapter ten (10), Private Laws of North Carolina, extra session of one thousand nine hundred and twenty, be and the same is hereby amended by adding a new section thereto to be designated as section nine (9) of said act, the said new section to read as follows:

"SEC. 9. Nothing herein contained shall prevent the county board of education of Warren County, or other lawful authority, from hereafter enlarging, extending, or increasing the boundaries Enlargement or
alteration of
district.

of said district, or from taking more territory into the limits of said district, or from consolidating said district and other districts or parts of districts into a consolidated district, in the manner as provided by section five thousand four hundred and seventy-three of the Consolidated Statutes of North Carolina, or acts supplementary thereto or amendatory thereof, or otherwise as is or may hereafter be allowed and authorized by law."

Repealing clause. SEC. 3. That all laws and clauses of actions in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 97

AN ACT TO INCORPORATE THE CHILDREN'S HOME OF UNION COUNTY AND TO PROVIDE FOR SAME.

The General Assembly of North Carolina do enact:

Corporation without capital stock. Corporate name. SEC. 1. That a charitable corporation without any capital stock, to be known and designated as the Children's Home of Union County, be and the same is hereby created, and as such corporation it is authorized and empowered to accept and use donations and appropriations, and to do all other things necessary and requisite to be done in the furtherance of the purpose of its organization and existence as hereinafter set forth.

Donations and appropriations. SEC. 2. That said corporation shall have the right to buy and sell and own real and personal property, to sue and be sued, to adopt and use a common seal, and in general to do any and all acts necessary and proper in the conduct and management of a home for indigent or orphan children of Union County.

Control and management. Appointment and terms. SEC. 3. That said institution shall be under the control and management of the following board and their successors in office. to wit: R. A. Morrow, W. S. Blakeney, T. P. Dillon, G. M. Beasley, E. C. Snyder, W. C. Crowell, J. J. Parker, all of Monroe, North Carolina; J. N. Price, Monroe, North Carolina, R. F. D.: W. P. Kendall, Indian Trail, North Carolina; T. F. James, Unionville, North Carolina; G. W. Smith, Sr., Marshville, North Carolina, R. F. D. No. 2; M. L. Baker, Monroe, North Carolina, R. F. D. No. 1; J. Z. Green, Marshville, North Carolina; B. Ward Laney, Monroe, North Carolina, R. F. D. No. 9, and Olin Niven, Waxhaw, North Carolina. R. A. Morrow, E. C. Snyder, W. C. Crowell, J. Z. Green and T. F. James shall serve for three years, while T. P. Dillon, G. M. Beasley, J. N. Price, W. P. Kendall, Olin Niven, shall serve for two years, and W. S. Blakeney, J. J. Parker, G. W. Smith, Sr., M. L. Baker, and B. Ward Laney

shall serve for one year. This board shall have the right to fill vacancies and to be a self-perpetuating body with the right on its part to increase or reduce the members constituting the board: *Provided*, that one-third of the members shall always serve for one year, one-third for two years, and one-third for three years, and until their successors are appointed.

Board self-perpetuating.
Number of members.
Proviso: terms of office.

SEC. 4. The board of managers shall appoint from among its members a president, a vice-president, a secretary, and a treasurer, who shall hold office for one year from the date of their appointment and until their successors are appointed. The office of secretary and treasurer may be combined in one. The board shall also appoint a superintendent and fix the compensation and duties thereof. The entire management and control of the institution shall be regulated and supervised by the board of managers and to this end the board may adopt such by-laws and rules as it may deem advisable and alter the same at will.

Organization.

Secretary-treasurer.

Superintendent.

By-laws and rules.

SEC. 5. The judge of the juvenile court of Union County is hereby authorized to designate this institution as a home for such children as may be brought before him for disposition in the exercise of his duties, but no child shall be entered or cared for at said institution except by approval of the board of managers thereof, or by the authority designated by them, and the duration of the custody of such child shall also be determined by said board.

Designation as home for delinquent children.

Approval of board of managers.

Duration of custody.

SEC. 6. The board of county commissioners for Union County are hereby authorized and required to pay to the treasurer of said institution each month after the passage of this act, not less than eight and not exceeding twelve dollars per capita per month, to assist in the care and maintenance of each child ordered to the custody of said institution by the juvenile court as authorized by section five under this act.

Appropriation from county.

SEC. 7. This act shall go into effect immediately upon its passage.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 98

AN ACT RELATING TO A BOND ISSUE OF THE CITY OF HIGH POINT FOR A MUNICIPAL BUILDING.

The General Assembly of North Carolina do enact:

SECTION 1. All ordinances, resolutions, and other acts and proceedings passed, done or taken by the city council of the city of High Point or by any officers or official board of said city after the first day of December, one thousand nine hundred and twenty-one, and before the ratification of this act, relating to

Ordinances, acts and proceedings validated.

the issuance of bonds of the city of High Point for the purpose of constructing or equipping a municipal building for said city, or acquiring land for said purpose, or relating to the issuance of notes of said city in anticipation of the sale of said bonds, are hereby legalized and validated. All of said ordinances and resolutions shall be in full force and effect immediately upon the ratification of this act, and the city council of the city of High Point is hereby authorized to issue said bonds or notes immediately, notwithstanding that any such ordinance or resolution provided that it shall take effect at a future time, or that the taking effect thereof shall depend upon the happening of a future event.

Ordinances and resolutions to be in force.

Issue of bonds and notes authorized.

Repealing clause. SEC. 2. All acts and parts of acts inconsistent with this act, including acts passed at the present session of the General Assembly, are hereby repealed.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 19th day, of December, A.D. 1921.

CHAPTER 99

AN ACT TO VALIDATE \$20,000 BONDS, FOR PUBLIC IMPROVEMENT OF THE TOWN OF FRANKLIN, ISSUED APRIL 1, 1921, UNDER CHAPTER 189 OF THE PRIVATE LAWS OF 1915, AND TO AUTHORIZE THE TOWN OF FRANKLIN TO ISSUE BONDS FOR A MUNICIPAL BUILDING, AND FOR OTHER PURPOSES.

The General Assembly of North Carolina do enact:

Proceedings ratified. SECTION 1. That all proceedings of the town of Franklin in Macon County, and of the board of aldermen thereof for the issuance of twenty thousand dollars public improvement bonds, issued on the first day of April, one thousand nine hundred and twenty-one, under and by virtue of chapter one hundred and eighty-nine of the Private Laws of one thousand nine hundred and fifteen, are hereby ratified and legalized, and said bonds are valid and binding obligations of the said town of Franklin.

Bonds valid and binding.

Special tax. SEC. 2. That there shall be raised annually by a special tax upon all taxable property in the said town of Franklin, in the same manner as other taxes are levied and collected, a sum of money sufficient to pay the interest on said bonds as the same may accrue, and there shall also be levied and collected in the same manner a sum which shall be paid into a sinking fund, which will, together with the accumulations thereof, provide a fund sufficient to pay the principal of said bonds at maturity.

Limitations not applicable. That the issuance of said bonds as validated under this act and

the levying and collection of taxes for the payment of the interest on said bonds, and also for the payment of the principal of said bonds, shall not be subject to any limitations imposed by any other law upon the amount of the indebtedness of said town, or upon the amount or rate of taxes levied and collected thereon.

SEC. 3. That the said town of Franklin is hereby authorized and empowered to build a fire house and municipal building for the use of said town, and the board of aldermen of the said town of Franklin is hereby authorized to issue and sell bonds of said town, in addition to the bonds hereinbefore validated, in an amount not exceeding ten thousand dollars, for the purpose of purchasing necessary lots and for constructing, building, and equipping the said fire house and municipal building, said bonds to be issued in such denominations and in such proportion as the board of aldermen of said town may deem advisable, said bonds to bear interest from the date thereof at a rate not exceeding six per cent per annum, with interest coupons attached, interest to be payable semiannually at such time and place as may be deemed advisable by said board, said bonds to run for a period not exceeding thirty years, and the principal thereof payable or redeemable at such time or times not exceeding thirty years from the date thereof, and at such place or places as the board of aldermen may determine. And said bonds, when so issued, are hereby declared to be a valid lien and charge upon all the taxable property within the corporate limits of the town of Franklin. And there shall be raised annually by special tax upon all the taxable property in said town of Franklin, in the same manner as other taxes are levied and collected, a sum sufficient to pay the interest on said bonds as the same accrues; and there shall be also levied and collected in the same manner, a sum which shall be paid into a sinking fund, which will, together with the accumulations thereof, provide a fund sufficient to pay the principal of said bonds at maturity. The issuance of said bonds under this act and the levying and collection of taxes for the payment of the interest on said bonds, and also for the payment of the principal of said bonds, shall not be subject to any limitation imposed by other laws upon the amount of the indebtedness of said town or upon the amount or rate of taxes levied and collected thereon.

SEC. 4. That the board of aldermen of the said town of Franklin are hereby authorized and empowered, if deemed expedient by them, to build such fire houses and municipal building in connection either with the board of county commissioners of Macon County, or the Macon County Memorial Association, its successors or assigns or both, and, if deemed expedient, to convey to the county of Macon or the Macon County Memorial Association, its successors or assigns, a specific portion or story of said building, or the said board of aldermen may build said fire house and

Fire-house and
municipal building.

Additional bond
issue.

Amount.

Interest.

Maturity.

Lien of bonds.

Special tax.

Issuance not
subject to limitation.

Co-operation in
building.

Assignment of
quarters.

- Obligation of bond-holders divested. municipal building for the exclusive use of said town and not in connection with said county or memorial association, if they deem it best to do so, and the holders of the bonds herein validated, and the holders of the bonds herein provided for, shall not be required or in any way obligated to see to the application of the proceeds of any of the bonds authorized or validated by this act.
- Special tax for streets. SEC. 5. That for the purpose of constructing, maintaining, and repairing the streets of the town of Franklin, the board of aldermen of the town of Franklin are hereby authorized, directed and empowered to levy annually a special tax on the taxable property within the corporate limits of said town, which tax shall not exceed twenty cents on the one hundred dollars valuation of property, which tax shall be levied and collected annually as other taxes of said town are collected.
- Limit of rate. SEC. 6. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.
- Repealing clause. SEC. 7. That this act shall be in force from and after its ratification.
- Ratified this the 19th day of December, A.D. 1921.

CHAPTER 100

AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF BISCOE GRADED SCHOOL DISTRICT TO BORROW MONEY IN ANTICIPATION OF THE SALE OF BONDS, AND ISSUE NOTES THEREFOR.

The General Assembly of North Carolina do enact:

- Power to borrow money. SECTION 1. That the board of trustees of Biscoe Graded School District, sometimes called Biscoe Special-tax School District, are hereby authorized and empowered to borrow money in anticipation of the sale of bonds heretofore authorized by vote, and issue a note or notes therefor in an aggregate amount not exceeding twenty thousand dollars (\$20,000). Said note or notes issued in renewal thereof shall mature not later than January one, one thousand nine hundred and twenty-three. All notes issued hereunder, with interest thereon, shall be paid out of the proceeds of the sale of said bonds.
- Notes. SEC. 2. Any notes heretofore issued by the board of trustees in anticipation of the sale of said bonds, and not in excess of the aggregate amount herein specified, are hereby validated and confirmed.
- Maturity of notes. SEC. 3. This act shall be in force from and after its ratification.
- Payment of notes. Ratified this the 19th day of December, A.D. 1921.
- Notes heretofore issued.

CHAPTER 101

AN ACT TO AMEND CHAPTER 338, PRIVATE LAWS OF 1893,
RELATING TO SUPREME LODGE, KNIGHTS OF HAR-
MONY.*The General Assembly of North Carolina do enact:*

SECTION 1. That section one (1) of chapter three hundred and thirty-eight (338) of the Private Laws of one thousand eight hundred and ninety-three (1893), be and the same is hereby amended by striking out the words "thirty" in line six (6) thereof, and inserting in lieu thereof the words "sixty." Term.

SEC. 2. That this act shall be in force from and after its ratification.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 102

AN ACT TO RATIFY AND VALIDATE BONDS OF THE
CONSOLIDATED SCHOOL OF CANDOR, MONTGOMERY
COUNTY.*The General Assembly of North Carolina do enact:*

SECTION 1. That all proceedings heretofore taken from the creation of the Consolidated School of Candor, Montgomery County, and all proceedings heretofore taken by the board of commissioners of Montgomery County for the issuance of forty thousand dollars bonds of said Consolidated School of Candor, which bonds were authorized by vote of the people at an election held June fourteenth, one thousand nine hundred and twenty-one, be and the same are hereby ratified, and when the said bonds shall have been delivered and paid for at not less than par and accrued interest, they shall constitute valid obligations of said school district, and for the payment of principal and interest of said bonds, a direct annual tax not exceeding forty cents on the one hundred dollars valuation of property, and one dollar and twenty cents on the poll, as authorized by the voters at said election, shall be annually levied and collected; for the issuance of said bonds, the said school district is hereby created a body corporate and politic.

Proceedings for consolidation of district.

Proceedings for issue of bonds.

Proceedings validated.
Bonds validated.

Special tax.

School district incorporated.

SEC. 2. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 103

AN ACT TO AUTHORIZE THE TOWN OF CLINTON TO
ISSUE AND SELL BONDS TO PAY OFF ITS FLOATING
DEBT AND PROVIDE AGAINST DEFICIT IN ITS GEN-
ERAL FUND.*The General Assembly of North Carolina do enact:*Purpose of bond
issue.Bond issue
authorized.

Amount.

Denominations.

Interest.

Maturity.

Bonds numbered.

Authentication.

Obligation of
bonds.Pledge of faith
and credit of town.Sale below par
forbidden.

Advertisement.

Time of issuance.

Limitations.
removed.

SECTION 1. In order to provide money to pay the floating indebtedness and deficits in the general fund of the town of Clinton, North Carolina, incurred for the necessary general expenses of said town, the board of commissioners of said town is hereby authorized and empowered to issue and sell bonds of said town to such amount, not to exceed in the aggregate fifty thousand dollars (\$50,000), and to be of such form, tenor, and denominations, and to bear such rate of interest not exceeding six per centum per annum, payable semiannually or annually, and with the principal thereof payable at such time or times not exceeding thirty years from date of issue, and at such place or places within or without this State, as said board of commissioners shall by appropriate resolution or resolutions direct and provide.

SEC. 2. Said bonds shall be numbered serially and consecutively beginning with number one, and shall be signed by the mayor, attested by the town clerk, and impressed with the corporate seal of said town, and upon delivery when so executed, shall become the valid and binding obligations of said town of Clinton, for the payment of the principal and interest of which the full faith and credit of said town is hereby pledged, notwithstanding any changes of the officers or corporate seal of said town after said bonds, or any part thereof, are delivered, and if coupons be attached to said bonds, said coupons may be executed by either the genuine or lithographed signature of the mayor of said town of Clinton.

SEC. 3. Said bonds shall be sold at not less than par, but may be sold either publicly or privately, in the discretion of said board of commissioners, and in case of public sale thereof such sale shall be made after such advertisement as said board of commissioners prescribe. Said bonds may be issued and sold from time to time during the period of five years next after the ratification of this act, and in such quantities, numbers, and installments as said board of commissioners in their discretion may elect.

SEC. 4. No limitation of the taxing powers of said board of commissioners of said town, or other governmental authority invested with the powers of taxation shall prevent the levying of sufficient tax to pay the principal and interest of the bonds issued and sold under this act, and the board of commissioners of said town of Clinton is hereby authorized, empowered, and re-

quired to levy from time to time sufficient tax to pay the principal and interest of said bonds according to their tenor: *Provided, however,* that in levying said tax the constitutional equation between property and polls shall be observed: *Provided further,* that said tax, so levied upon the taxable property and polls in said town, shall be levied at the same time, and collected and accounted for in such manner, as other *ad valorem* and poll taxes of said town are levied, collected, and accounted for.

Special tax.
Proviso: constitutional equation.

Proviso: levy and collection of tax.

SEC. 5. Said bonds, prior to their maturity, shall be exempt from taxation by said town of Clinton, and if coupons be attached thereto, such coupons, when past due, shall be at all times receivable in payment of taxes due to said town for any purpose whatsoever.

Exemption from taxation.
Coupons receivable for taxes.

SEC. 6. All laws, and clauses of laws, in conflict with this act, in so far as this act is concerned, are hereby repealed.

Repealing clause.

SEC. 7. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 104

AN ACT AUTHORIZING THE TOWN OF BAILEY, IN NASH COUNTY, TO ISSUE BONDS FOR ELECTRIC LIGHT SYSTEM.

The General Assembly of North Carolina do enact:

SECTION 1. The board of commissioners of the town of Bailey, in Nash County, is hereby authorized to issue bonds of said city in an aggregate principal amount not exceeding twenty thousand dollars (\$20,000), for the purpose of constructing, installing or equipping an electric light system for furnishing electric light to said town and its inhabitants, or for the purpose of paying or funding indebtedness heretofore or hereafter incurred for said purpose. All indebtedness heretofore incurred for said purpose is hereby legalized and validated. The said board of commissioners is hereby further authorized to levy a sufficient annual tax on all taxable property in said town for the purpose of paying the interest on said bonds and providing a sinking fund sufficient to pay the principal of said bonds at maturity, which tax shall be in addition to all other taxes authorized by law to be levied in said city.

Bond issue authorized.

Amount.

Debt validated.
Special tax.

SEC. 2. The said bonds shall be authorized by resolution of said board of commissioners, which resolution shall be in full force and effect immediately upon its passage. The said bonds shall be in such form and denomination, shall be executed in such manner, shall be payable at such time or times, not more than

Bonds authorized by resolution.

Form, denomination and execution.

Maturity.

Interest.	thirty years after their date, and shall bear interest at such rate, not exceeding six per cent per annum, as said board of commissioners may by resolution direct. Said bonds may be sold at public or private sale, with or without published notice thereof, at not less than par.
Sale.	
Powers additional.	SEC. 3. The powers conferred by this act are conferred in addition to and not in substitution for the existing powers of said town, and are not subject to any limitations or restrictions imposed by any other law. Nothing herein shall prevent the said town from issuing bonds under the Municipal Finance Act of one thousand nine hundred and twenty-one.
Bonds under municipal finance act.	
Repealing clause.	SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. SEC. 5. That this act shall be in force from and after its ratification. Ratified this the 19th day of December, A.D. 1921.

CHAPTER 105

AN ACT TO AMEND CHAPTER 68, PRIVATE LAWS OF 1903, RELATING TO THE BOARD OF TRUSTEES OF SWAN QUARTER SCHOOL DISTRICT, HYDE COUNTY.

The General Assembly of North Carolina do enact:

Election of trustees.	SECTION 1. That chapter sixty-eight, Private Laws one thousand nine hundred and three, be and the same is hereby amended by striking out section nine and inserting in lieu thereof the following: "That the county board of education of Hyde County shall, at its first regular meeting in July, one thousand nine hundred and twenty-two, elect three citizens of Hyde County as trustees for the public schools of said graded school district, and the said three trustees shall constitute a board of trustees for said district. The said trustees shall take office on the first Monday in August, one thousand nine hundred and twenty-two, and hold office for a term of two years and until their successors are elected and qualify. Vacancies occurring in said board, by reason of the expiration of the term of office of any said trustee or by reason of the death or resignation of any said trustee, shall be filled by election by the county board of education of Hyde County. The said county board of education of Hyde County at its first regular meeting in July, one thousand nine hundred and twenty-two, and each two years thereafter, shall elect three trustees as is prescribed above: <i>Provided</i> , that the position of said trustees shall not constitute an office within the meaning of article seven, section fourteen of the Constitution of this State."
Term of office.	
Vacancies.	
Election of successors.	
Proviso: trustees not officers.	

SEC. 2. That the board of trustees of Swan Quarter School District, Hyde County, as said board is now constituted, shall continue to hold office and to constitute said board and to exercise the powers and be subject to the duties of members of said board until the first Monday in August, one thousand nine hundred and twenty-two, and until their successors shall be elected, as is provided in this act, and shall properly qualify for office.

Present board
continued.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 106

AN ACT TO AMEND THE CHARTER OF THE TOWN OF ANDREWS, CHAPTER 135, PRIVATE LAWS OF 1905.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and thirty-five of the Private Laws of one thousand nine hundred and five, be and the same is hereby amended as follows:

(1) By striking out the "period" at the end of section twenty-five and inserting in lieu thereof a "semicolon," and by adding at the end of said section the following: "And to do all things and have all the powers that are now or may hereafter be given by law to cities and towns,"

Powers under
general law.

(2) That section twenty-six be amended by inserting a new sentence after the word "nuisances" and before the word "for" in line twenty of said section, as follows: "And the said board of aldermen is hereby given, in addition to the foregoing powers, all powers that are now or may hereafter be given to cities and towns by the Constitution or the General Assembly of the State of North Carolina."

Powers under
general law.

(3) That the word "shall" in line seven of section twenty-seven be stricken out and the word "may" be inserted in lieu thereof. And by adding at the end of said section the following: "That in case the board of aldermen shall appoint a tax collector, other than the chief of police, then the person so appointed shall have the same power and be required to do the same things as are now or may hereafter be given the chief of police for the town of Andrews, in connection with the collection of taxes,"

Chief of police
may be tax
collector.

Powers of tax
collector.

(4) That the words "eighty-three and one-third cents" in subsection one of section thirty-four be stricken out and the words "one dollar" be inserted in lieu thereof; and the words "two dollars and fifty cents" in subsection two of said section

Tax rates.

thirty-four be stricken out and the words "three dollars" be inserted in lieu thereof; and by striking out and repealing subsections four and five of said section thirty-four.

License taxes.

(5) That section forty-one, together with subsections one to eight, inclusive, be and the same is hereby repealed, and the following is substituted in lieu thereof: "That the board of aldermen, in order to provide expenses incident to the proper government of Andrews, and all other expenses which may be by law authorized, may annually levy and collect license or privilege taxes on all businesses, trades, and professions, except such as are prohibited by the general laws covering the collection of license and privilege taxes in the State of North Carolina. The said board of aldermen shall have the power to fix the amount of such privilege taxes or license on the various businesses, trades, and professions, and provide for the method of levying and collecting the same. That said license or privilege taxes shall be levied annually before May thirty-first, and shall become effective on the first day of June, and said levy shall not require advertising before becoming effective."

Levy of license tax.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 107

AN ACT TO ESTABLISH LOVE MEMORIAL GRADED SCHOOL DISTRICT IN LINCOLNTON TOWNSHIP, LINCOLN COUNTY.

The General Assembly of North Carolina do enact:

Territory included in district.

Boundary.

Incorporation. Memorial.

SECTION 1. That all the boundary of territory lying in Lincoln Township and Howard's Creek Township, heretofore known and designated as the "Hanes Special-tax School District," and described as follows, to wit: Beginning at the Massey-Lackey line on the west bank of South Fork River, then with the river as it meanders to the mouth of the old Hanes Schoolhouse branch, then with the said branch as it meanders to the old Dallas road, then with said road to Warren Beatty's line, then with his line to the Crouse Graded School District line, then with said line to the old Shelby road, then with said road to the old Dallas road, then with said road to the Massey-Lackey line, then with said line to the beginning, be and the same is hereby incorporated as the "Love Memorial Graded School District," in memory of the lamented Edgar Love, late of Lincoln County.

SEC. 2. That the graded school trustees for said district herein-after provided for shall have entire and exclusive control of the graded school interests and property in the said district; shall prescribe rules and regulations for their own government, not inconsistent with the provisions of this act; shall elect their own chairman and secretary from their own number, for a term of two years each; shall employ and fix the compensation of teachers, and do all other acts and things that may be just, lawful, and advantageous, to conduct and manage the graded school interests in said district: *Provided*, that all children residents in the said district between the ages of six and twenty-one years resident children, upon the payment of reasonable tuition charges *Provided further*, that said trustees may receive as students non-resident children, upon the payment of reasonable tuition charges to be fixed by said trustees: *Provided further*, that said trustees may in their discretion charge a reasonable tuition for teaching any branches of study of a higher grade than those prescribed by the Legislature, or which may hereafter be so prescribed, to be taught in the public schools of the State.

Powers of trustees.

Proviso: free tuition for resident children.

Proviso: charges for nonresident pupils.

Proviso: charges for higher branches.

SEC. 3. That Frank Love, T. S. Ramsey, S. P. Houser, A. E. Weaver, R. G. Epps, and Mrs. Lela Rudisill are hereby appointed trustees for the said graded school district, and they shall meet and qualify and organize within thirty days after the ratification of this act. That R. G. Epps and Mrs. Lela Rudisill shall hold their offices for two years after the first Monday in June, one thousand nine hundred and twenty-one; that S. P. Houser and A. E. Weaver shall hold their offices for four years after the first Monday in June, one thousand nine hundred and twenty-one; and that Frank Love and T. S. Ramsey shall hold their offices for six years after the first Monday in June, one thousand nine hundred and twenty-two. That on the first Monday in June, one thousand nine hundred and twenty-four, and biennially thereafter there shall be elected in the manner hereinafter set forth, two trustees of said district to succeed the two members of said board of trustees whose terms then expire, who shall hold office for six years. Should a vacancy occur then the remaining trustees shall elect some patron to fill the unexpired term.

Trustees named.

Terms of office.

Election of successors.

Vacancies.

SEC. 4. That for the purpose of electing trustees of said graded school district, there shall be held in the graded school building in said district, at noon on the first Monday in June, one thousand nine hundred and twenty-three, and biennially thereafter, a mass meeting of all the previous resident patrons of said district, of the age of twenty-one years and over, said meeting to be advertised in some newspaper of the county for two weeks prior to said date, and said meeting to be called to order and presided over by the chairman of said board of trust-

Meeting resident patrons.

Advertisement of meeting.

Presiding officer.

Distribution of blank ballots.	tees. That at said mass meetings the chairman shall cause to be distributed blank ballots, and that every resident patron present as above qualified, shall have the right to write the names of two taxpayers of said district on a ballot, which names shall indicate his choice for trustees for the ensuing six years. That the chairman shall name tellers who shall distribute the ballots and collect same, and said tellers, together with the secretary of the board, who shall also be secretary of said meetings, shall canvass the ballots and the secretary shall announce the names of those voted for and the number of votes received by each, and the chairman shall in open meeting declare the two resident patrons receiving the highest number of votes to be duly elected trustees of said graded school district for the ensuing six years to succeed the two members whose terms then expire. And the result of said election shall be entered by the secretary of the board in the minute book to be kept by said board. The persons so declared elected shall present themselves at the next meeting of the board of trustees and take the oath of office, from which time they shall be deemed to be members of said board of trustees.
Tellers.	
Canvass of votes.	
Declaration of result.	
Record of election.	
Trustees-elect to qualify.	
Special taxes.	SEC. 5. That the moneys arising from the special taxes heretofore levied and collected for the purpose of running the public schools in said district shall be levied and collected in the manner prescribed in the general school law of the State, and placed to the credit of the said board of trustees of Love Memorial Graded School District; and the said rate of levy shall remain as heretofore levied for said district under the name of the Hanes Special-tax District, namely, twenty-five cents on each hundred dollars worth of property and seventy-five cents on each poll, in said district, which levy has been heretofore authorized by special election held under provisions of the general school law of the State, until the trustees may, at their best judgment after petition of two-thirds of resident patrons, reduce said levy as low as five cents on the hundred dollars, but no reduction on the poll.
Apportionment from general school fund.	SEC. 6. That to the said Love Memorial Graded School District shall be apportioned each school year its equitable and pro rata portion of the general public school fund for Lincoln County, and said money so apportioned to said district, together with the special district tax as above specified, shall be turned over to the county treasurer for said special school district.
Incorporation.	SEC. 7. That the school trustees of said district shall be a body corporate by the name and style of "The Trustees of Love Memorial Graded School District," and by that name shall be capable of receiving gifts and grants; of purchasing and holding real and personal estate, or selling, mortgaging, and transferring the same for school purposes; of prosecuting and defending suits
Corporate name.	
Corporate powers.	

for or against the corporation hereby created, of erecting buildings for school purposes, and of doing all things necessary and proper for the operation of a graded school in said district.

SEC. 8. That the said school trustees shall make an annual Reports. report to the board of education in Lincoln County of the receipts and disbursements of all school funds under their control; and they shall also make all reports to the said board of education as now or which may hereafter be required of public school committeemen of the various public school districts.

SEC. 9. That the board of education of Lincoln County are hereby authorized and directed to transfer, by execution of proper deed of conveyance, all public property, both real and personal, of every description, now belonging to the public schools in the territory hereby constituted the Love Memorial Graded School District, to the "Trustees of Love Memorial Graded School District," as heretofore specified. Transfer of school property.

SEC. 10. That all laws and clauses of laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 11. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 108

AN ACT TO VALIDATE AN ELECTION HELD IN FOUR OAKS SCHOOL DISTRICT AND TO AUTHORIZE THE ISSUE OF BONDS THEREUNDER.

The General Assembly of North Carolina do enact:

SECTION 1. The election held in Four Oaks School District, sometimes called Ingrams Number Eight, in Johnston County, on the twelfth day of April, one thousand nine hundred and twenty-

one, to authorize an issue of bonds of the said district to the amount of seventy-five thousand dollars (\$75,000) to run for twenty years, and bearing interest at the rate of six per cent per annum, payable semiannually, is hereby confirmed, and the

board of county commissioners of said county are hereby authorized to issue said bonds and turn same over to the county board of education, which board is hereby authorized to sell them at

Bond issue authorized.

public or private sale, but for not less than par and accrued interest. The board of county commissioners of Johnston County

Sale of bonds.

is hereby authorized and directed to levy annually a special tax *ad valorem* on all taxable property in such school district for the purpose of paying the principal and interest of said bonds, as such principal and interest become due, which special tax

Special tax.

shall be in an amount sufficient for the said purpose and shall be in addition to all other taxes authorized to be levied in the said school district..

Acts not
applicable.

SEC. 2. No act passed at the present session of the Legislature shall be deemed to affect the provisions hereof, unless it shall refer expressly hereto.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 109

AN ACT TO AMEND ARTICLE 21, PART 1, CHAPTER 84, OF THE CONSOLIDATED STATUTES OF NORTH CAROLINA, AND CHAPTER 349, PRIVATE LAWS OF NORTH CAROLINA OF 1913, RELATING TO CHARTER OF NORTH CAROLINA AGRICULTURAL SOCIETY.

The General Assembly of North Carolina do enact:

SECTION 1. That section four thousand nine hundred and thirty-six (4936) of the Consolidated Statutes, be amended by striking therefrom after the word "estate," in line five, the following: "to the value of fifty thousand dollars (\$50,000), and no more," and substituting in lieu thereof the following: "*Provided, however,* that upon a dissolution of said corporation, for any cause, all of its property, real or personal, after applying so much thereof as may be required to pay its debts and obligations, shall escheat to the State of North Carolina, except such property rights as may belong to the city of Raleigh."

Property to
escheat.

Election of officers.

SEC. 2. That section four thousand nine hundred and thirty-seven (4937) of the Consolidated Statutes be amended by inserting after the word "elect" in the first line thereof, the following: "from its membership," and by inserting after the word "necessary" in line three thereof the following: "or deemed advisable."

Power to borrow
money.

SEC. 3. That, in addition to the powers granted in article twenty-one, of chapter eighty-four of the Consolidated Statutes, the said North Carolina Agricultural Society shall have the power, through its governing body, to borrow money and make and issue its promissory notes, bills of exchange, bonds, and evidences of indebtedness for the purpose of said society, and to secure the payment of the same by deed of trust, mortgage, pledge, or otherwise upon its property, real and personal; should it be deemed necessary by the governing body of said society, for the purposes of said society and the furtherance of the objects thereof, and all such bonds, and all interest or income therefrom, shall be exempt from taxation in the hands of the holder

Bonds exempt
from taxation.

thereof. Said North Carolina Agricultural Society may, under that name, sue and be sued, plead and be impleaded in the courts, may purchase, hold, accept, and convey real and personal property, may have and use a common seal, and do all other things necessary or convenient for carrying forward the business and affairs of the society not inconsistent with the laws of the State.

Corporate powers.

SEC. 4. Said society shall, in addition to all the powers heretofore enumerated, have the right and power, and it shall be its duty, to encourage and promote agriculture, domestic science, domestic manufactures, stock raising, poultry raising, mechanics, arts and crafts, and any and all other things conducive to the improvement and development of the State, and use any moneys it has at its disposal to promote, foster, and encourage all such matters and things as to the governing body of said society may seem proper and conducive to the accomplishment of the objects of said society.

Objects of society.

SEC. 5. The membership of said society shall consist of such persons as may have heretofore been duly elected and qualified as life members thereof, and such other persons as may be elected to membership and qualify by the payment to the society of such dues as may be fixed by the society: *Provided, however,* that, except in cases of life members, any person ceasing to pay such dues, shall cease to be a member of said society.

Membership.

SEC. 6. Any county, city, or town, may appropriate such moneys as may be deemed advisable by the governing authorities of such county, city, or town, to aid and coöperate in the objects of said society.

Municipalities may make appropriations.

SEC. 7. That such portions of chapter three hundred and forty-nine (349), of the Private Laws of one thousand nine hundred and thirteen as are in conflict with this act are herewith repealed.

Repealing clause.

SEC. 8. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 110

AN ACT TO VALIDATE AN ELECTION HELD IN GILKEY CONSOLIDATED SCHOOL DISTRICT IN RUTHERFORD COUNTY ON THE 12TH DAY OF NOVEMBER, 1921.

The General Assembly of North Carolina do enact:

SECTION 1. That the election held in Gilkey Consolidated School District in Rutherford County on the twelfth (12th) day of November, one thousand nine hundred and twenty-one, to levy a tax of not more than twenty-five cents on the one hundred

Election validated.

Levy of tax
authorized.

dollars valuation of property in said district, for the purpose of building a schoolhouse and maintaining a school in said consolidated school district, pursuant to an order made by the board of commissioners of Rutherford County, upon the petition of the board of education of Rutherford County, be and the same is hereby in all respects validated and the board of commissioners of Rutherford County is hereby authorized and empowered to annually levy at the time of levying taxes of said Rutherford County a tax of not more than twenty-five cents on the one hundred dollars valuation of property in said consolidated school district in accordance with the orders heretofore or hereafter made by the said board of commissioners pursuant to the petition filed with said board for said election.

SEC. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 111

AN ACT TO VALIDATE, RATIFY, AND APPROVE AN ISSUE OF \$30,000 OF BONDS BY THE TOWN OF ANDREWS, CHEROKEE COUNTY, FOR PAYING FOR AND FENCING WATERSHED OF SAID TOWN.

Preamble: control
of watershed.

Whereas by ordinance of the board of aldermen of the town of Andrews, adopted July nineteenth, one thousand nine hundred and twenty, it was found necessary that the watershed from which the inhabitants of the town of Andrews secure their drinking water, be owned and controlled by the said town of Andrews; and

Preamble: owner-
ship of lands.

Whereas the Beaver Creek Lumber Company owned said lands and were willing to dispose of same, provided an agreement of price could be reached; and

Preamble: agree-
ment as to price.

Whereas an agreement as to price was reached between the parties on the first day of January, one thousand nine hundred and twenty-one, for the sum of twenty-five thousand dollars, and interest on said sum at six per cent per annum from May first, one thousand nine hundred and twenty, aggregating the sum of twenty-six thousand dollars, and with the further agreement that said Beaver Creek Lumber Company would accept notes of said town of Andrews for the purchase price, which notes were to bear date of January first, one thousand nine hundred and twenty-one, and run not longer than twelve months, in order to give said town of Andrews sufficient time in which to issue and market bonds to take care of said indebtedness; and

Preamble: execu-
tion and delivery
of notes.

Whereas by ordinance by said board of aldermen, said notes were executed and delivered as aforesaid, and the said Beaver

Creek Lumber Company did execute and deliver to the said town of Andrews its deed in fee simple for lands covered by said watershed, which deed is on record in the office of the register of deeds for Cherokee County; and

Whereas by ordinance of the board of aldermen of the town of Andrews, adopted February twenty-eighth, one thousand nine hundred and twenty-one, entitled "An ordinance authorizing the issue of thirty thousand dollars of bonds of the town of Andrews, North Carolina, to pay for and fence the watershed of said town." and by resolution passed March seventeenth, one thousand nine hundred and twenty-one, "Watershed Bonds" of the town of Andrews to the amount of thirty thousand dollars, to be dated February twenty-eighth, one thousand nine hundred and twenty-one, and payable in thirty years, at six per cent per annum, payable semiannually, were advertised March seventeenth, one thousand nine hundred and twenty-one, to be sold April eighteenth, one thousand nine hundred and twenty-one; and

Preamble: ordinances authorizing bond issues.

Whereas said bonds were not sold on the eighteenth day of April, one thousand nine hundred and twenty-one; and

Preamble: bonds not sold.

Whereas said bonds were again advertised to be sold on the fourteenth day of November, one thousand nine hundred and twenty-one; and

Preamble: re-advertisement.

Whereas the said bonds were not sold on said fourteenth day of November, one thousand nine hundred and twenty-one, but were sold by private sale to Hanchett Bond Company of Chicago, Illinois, on the.....day of December, one thousand nine hundred and twenty-one; and

Preamble: sale of bonds.

Whereas the authority and validity of said issue of bonds has been questioned; and

Preamble: validity of bonds questioned.

Whereas it is necessary for the town of Andrews to redeem the notes issued to said Beaver Creek Lumber Company by January first, one thousand nine hundred and twenty-two, or as soon thereafter as possible; and

Preamble: redemption of notes necessary.

Whereas it is of grave importance to the public that the sale of said bonds to Hanchett Bond Company be made: Therefore,

Preamble: sale important.

The General Assembly of North Carolina do enact:

SECTION 1. That the issue by the town of Andrews of thirty thousand dollars of watershed bonds authorized by ordinance of the board of aldermen of said town, adopted February twenty-eighth, one thousand nine hundred and twenty-one, and by resolution of said board passed March seventeenth, one thousand nine hundred and twenty-one, and again passed on the day of October, one thousand nine hundred and twenty-one, said bonds being dated February twenty-eighth, one thousand nine hundred and twenty-one, and payable in thirty years, and advertised to be sold on the eighteenth day of April, one thousand nine hundred and twenty-one, and again on the fourteenth day of

Issue of bonds ratified.

Sale validated.

November, one thousand nine hundred and twenty-one, said bonds bearing interest at six per cent per annum, payable semiannually, are hereby in all respects fully authorized, ratified, and confirmed and declared to be valid and binding obligations of said town of Andrews, and the said sale to Hanchett Bond Company on the fifth day of December, one thousand nine hundred and twenty-one, be and the same is hereby in all respects validated, and is declared to be a valid sale of said bonds.

Change of date.

SEC. 2. That the board of aldermen for said town of Andrews may, by ordinance regularly adopted, change the date of said bonds to December first, one thousand nine hundred and twenty-one, and the validity of same will in no wise be affected thereby.

Repealing clause.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 112

AN ACT TO AUTHORIZE AND DIRECT THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF MURPHY TO ISSUE BONDS FOR THE PURPOSE OF PROVIDING A FUND SUFFICIENT TO PAY OFF THE OUTSTANDING INDEBTEDNESS OF SAID TOWN, AND TO GRADE AND IMPROVE CERTAIN STREETS IN SAID TOWN.

The General Assembly of North Carolina do enact:

Mayor and aldermen directed to call election.

SECTION 1. That the mayor and the board of aldermen of the town of Murphy, Cherokee County, be and they are hereby authorized, empowered and directed to order an election to be held in said town at such time as may be fixed in said order, to determine the question whether the said town of Murphy, in Cherokee County, shall issue the bonds of said town in a sum sufficient to pay off the outstanding indebtedness of the said town.

Question to be determined.

Mayor and aldermen empowered to call election.

SEC. 2. That the mayor and board of aldermen of the town of Murphy, Cherokee County, are hereby authorized and empowered to order an election to be held in said town, at such time as may be fixed in said order, to determine the question whether the said town of Murphy, in Cherokee County, shall issue the bonds of said town in a sum sufficient to grade and macadamize or hard-surface the street leading from Tennessee Street in said town to the Southern depot; and to grade and macadamize or hard-surface the street leading from the Southern depot by the wholesale houses to the Louisville and Nashville depot, connecting

Question to be submitted.

with the macadam at that point; and also to grade and macadam or hard-surface that part of Tennessee Street between the lower Valley River bridge and the end of the macadam opposite Sword's livery stable.

SEC. 3. That the election for the purposes mentioned above shall be held at such time as may be fixed in the order of election: that the board of aldermen of said town shall, at least thirty days preceding such election, give public notice thereof by publication in a newspaper published in said town.

Time for election.

Notice of election.

SEC. 4. That the board of aldermen of said town of Murphy, Cherokee County, are hereby authorized and empowered to levy a tax sufficient to pay the interest on said bonds and retire the same at maturity.

Special tax.

SEC. 5. That said election shall be held and conducted in the same manner and under the same rules and regulations as are now in force, or may hereafter be provided by law, for the holding of election for municipal officers of said town.

Law governing election.

SEC. 6. That at said election all qualified voters in favor of the bond issue and the levy of special tax, as provided herein for paying the outstanding indebtedness of said town, shall vote a ballot on which is written or printed the words "For bonds to pay off the indebtedness," and all qualified voters who are opposed to same shall vote a ballot on which is written or printed the words "Against bonds to pay off indebtedness." And at said election all qualified electors in favor of the bond issue and the levy of a special tax as provided herein for grading, macadamizing or hard-surfacing the streets as herein provided, shall vote a ballot on which is written or printed the words "For Street Bonds," and all qualified voters who are opposed to the same shall vote a ballot on which is written or printed the words "Against Street Bonds." The votes cast at said election shall be counted, canvassed, and the result declared in the same manner as is now provided by law for counting, canvassing, and declaring the results of elections held for municipal officers for said county.

Ballots as to bond issue for debt.

Ballots as to street bonds.

Count and canvass of votes.
Declaration of result.

SEC. 7. That if at said election a majority of the votes cast shall be "For bonds to pay off indebtedness," then the board of aldermen of said town shall issue and sell the bonds of said town of Murphy in such amount as was fixed by said board in its order calling said election, and of such denominations as said board may determine, said bonds to bear interest at a rate not to exceed six per cent per annum, payable semiannually or annually as fixed by said board, and the principal thereof to become due at the time or times not exceeding thirty years from the date of issue, as may be fixed by said board; that the said bonds shall be signed by the mayor and the secretary or treasurer of the town of Murphy, and shall have affixed thereto the official seal of said town.

Bond issue.

Denominations.

Interest.

Maturity.

Authentication.

Custody of funds.

SEC. 8. That upon the sale of said bonds of said board of aldermen, the funds received therefrom shall be delivered to the treasurer of said town, that none of said bonds shall be sold for less than their par value; and the proceeds derived therefrom shall be used exclusively for the purposes herein set out.

Sale below par
forbidden.
Specific appropria-
tion of proceeds.

Special tax.

SEC. 9. That if in the election ordered in this act the majority of the votes cast shall have been "For bonds to pay off indebtedness" and the said bonds shall have been issued and sold thereafter, the board of aldermen or the governing body authorized to levy taxes for said town is hereby authorized and required, at the same time of levying the general taxes of said town, to annually levy upon all the taxable property of said town of Murphy a special tax sufficient to provide funds for the payment of the interest on all said bonds so issued and sold, and to create a sinking fund sufficient to retire said bonds at their maturity. And if at said election ordered in this act the majority of the votes cast shall have been "For Street Bonds" and the said bonds shall have been issued and sold thereafter, the board of aldermen of the town of Murphy, or the governing body authorized to levy taxes for said town, is hereby authorized and required at the same time as levying the general taxes of said town, to annually levy upon all the taxable property of said town of Murphy a special tax sufficient to provide funds for the payment of the interest on all of said bonds so issued and sold, and to create a sinking fund sufficient to retire said bonds at their maturity. That said special tax shall be collected as other taxes of said town of Murphy, and shall be turned over to the treasurer of said town and kept as a separate fund and applied to the purposes for which same was levied and collected and to no other purpose.

Amount of bonds.

SEC. 10. That the total amount of the bonds provided for in this act shall not exceed fifty thousand dollars.

SEC. 11. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 113

AN ACT TO AMEND THE CHARTER OF THE CITY OF HENDERSONVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter three hundred and fifty-two of the Private Laws of one thousand nine hundred and thirteen, the same being an act entitled "An act granting a charter to the

city of Hendersonville in Henderson County." and the several acts amendatory thereof, be and the same is hereby amended by adding thereto the following:

SEC. 2. That C. E. Brooks, K. G. Morris, and J. W. Bailey, be and they are hereby constituted the board of water commissioners for the city of Hendersonville, whose terms of office shall begin January first, one thousand nine hundred and twenty-two. The said C. E. Brooks shall hold office for a term of eight years, the said K. G. Morris shall hold office for a term of six years, and the said J. W. Bailey shall hold office for a term of four years, and until their successors are appointed and qualified. In case of a vacancy in said board, due to death, resignation or otherwise, said vacancy shall be filled by the remaining members of the board, and the person appointed to fill such vacancy shall be of like political faith as the member so succeeded. It shall be the duty of the General Assembly, at its regular sessions in the year one thousand nine hundred and twenty-five and in the year one thousand nine hundred and twenty-seven and in the year one thousand nine hundred and twenty-nine, and in each four, six, and eight years, respectively, thereafter, to appoint a member of the board to succeed the members whose term so expires, and each member so appointed shall be of the same political faith as those whom he may succeed.

Water commis-
sioners.
Beginning of term.
Length of terms.
Vacancies.
Election of
successors.
Political faith.

SEC. 3. That the commissioners appointed by this act, and their successors in office, shall take an oath to faithfully discharge the duties of said office, said oath to be administered by the mayor of the city of Hendersonville, and the said board when organized shall be known as "The Board of Water Commissioners of the City of Hendersonville," and under such name shall be a corporation, and shall have power to sue and be sued, to hold real estate, both within and outside the limits of the city of Hendersonville, and shall enjoy all the privileges relating to water and sewer systems as are now enjoyed by municipal corporations pursuant to the laws of the state of North Carolina.

Commissioners to
qualify.
Corporate name.
Corporate powers.

SEC. 4. That a majority of said board shall constitute a quorum for the transaction of business, and all contracts and engagements, acts and doings of said board, within the scope of their duty or authority, shall be obligatory upon and be in law considered as if done by the city of Hendersonville. The said board of water commissioners shall take and hold all the land, real estate, rights, franchises, and property of every kind now owned by the commissioners of the city of Hendersonville, in so far as the same relate to the water and sewer systems of said city, or that may hereafter be purchased or acquired in any way whatsoever for the purpose of operating and maintaining a system of water works and sanitary sewers; that said board of water commissioners shall have the power to acquire such additional property, either within or without the limits of the city of

Quorum.
Contracts binding
on city.
Power to hold
property.
Power to acquire
property.

Additional improvements.	Hendersonville, and make such additional improvements thereon as may be necessary to supply the city of Hendersonville with a sufficient supply of good and wholesome water; and to erect and equip, if the commissioners deem advisable for said city, a new plant or system of water works and sewers for said purposes.
New plant or system.	
Power to condemn land.	SEC. 5. That in case it becomes necessary to purchase additional lands, or water rights, or rights of way, either within or without the limits of the city of Hendersonville, or to lay pipes, or in any other way necessary to the operation of said system of water works and sewers, or any new system of water works directed by said commissioners to be erected, and should there be a disagreement between the owner or owners of such lands or water rights or rights of way and the board as to the price to be paid therefor, or for damages incurred, it shall be lawful for either party to apply to the clerk of the Superior Court of Henderson County, who shall thereupon appoint three disinterested persons to examine said property and assess the value thereof or the damages done to the same, who, after taking an oath before said clerk to administer the same impartially, shall proceed to assess the same and make return of their action and doings to the said clerk of the Superior Court, who shall enter the same upon the minutes of the court and enter judgment according to said report: <i>Provided, however</i> , that in case either party is dissatisfied with said award, he, or they, may appeal to the Superior Court of said county at term time, and have said case tried, as is provided upon cases of appeal from the clerk of the court in other cases: <i>Provided, however</i> , that either party desiring to appeal from the judgment of the clerk shall give the opposite party at least ten days notice thereof from the rendition of said judgment: <i>Provided, however</i> , that no such appeal shall have the effect of staying the operations or improvements proposed to be made by said board, and said board may enter upon such lands as they may deem necessary and proceed to make said improvements while said appeal is pending.
Procedures.	
Right of appeal.	
Proviso: notice of appeal.	
Proviso: no stay by appeal.	
General powers.	SEC. 6. That the said board shall have the right to do everything which they deem necessary in order to properly perform their duties and prosecute the works authorized by this act, and may employ such assistants and attorneys as they may deem necessary to properly carry out the provisions of this act, and shall have power to let contracts and make such additions, enlargements, repairs, and improvements to the present system of water works and sewers as they deem necessary, and may in their judgment erect and establish an entirely new water system for said city.
Assistants and attorneys.	
Further enumeration of powers.	
Use of roads, streets and railroads.	SEC. 7. That the said board of water commissioners, and all persons acting under their authority, shall have the right to use the ground or soil of any road, street, railroad, highway, lane or

alley for the purpose of enlarging or improving the plant or system of water works and sewers owned by said city, or any new system erected by said board: *Provided*, that it shall be the duty of the water commissioners to restore any of the public streets, alleys, or lanes of the city of Hendersonville in as good condition, and with the same quality of material, as the same were in before such change or alteration was made.

Proviso: restoration.

SEC. 8. That the said board shall regulate the distribution and use of water for all places and for all purposes where the same may be required, and, from time to time shall fix the price for the use thereof, and the time of payment therefor; and the said board shall have power and authority to require the payment in advance for the use or rent of water furnished by them in or upon any building, place or premises, and in case of the failure to make prompt payment of the same, according to the rules and regulations of said commission, they may shut off the water from such building, place or premises after five days notice, and shall not be compelled again to supply said premises, building or place with water until the arrears, with interest thereon, shall have been paid in full.

Distribution and use of water.

Price for use.

Payment.

Discontinuance and restoration of supply.

SEC. 9. That if any person or persons shall maliciously divert the water, or any portion thereof, from said water works, or shall corrupt or render the same impure, or shall destroy or injure any aqueduct, pipe, or other property used or acquired for procuring or distributing the water, such person or persons shall be guilty of a misdemeanor, and upon conviction shall be fined, not exceeding fifty dollars, or imprisoned not exceeding thirty days, at the discretion of the court.

Diversion of water or injury to system misdemeanor.

Punishment.

SEC. 10. That the said board shall have power to make rules and regulations with respect to the introduction of water into or upon any premises, and, from time to time, regulate the use thereof in such manner as shall seem to them necessary and proper, and the members of said board and all engineers, superintendents, or inspectors, and their servants, are hereby authorized and empowered to enter, after demand made and refusal, at all reasonable hours, any dwellings or other places where such water is taken and used where unnecessary waste thereof is known or suspected, and to examine and inquire into the cause thereof, and if any person refuses to permit such examination, or opposes or obstructs such officer in the performance of such duty, he, she, or they, so offending, shall be guilty of a misdemeanor, and may be fined not exceeding fifty dollars, or imprisoned not exceeding thirty days, and the supply of water may also be cut off until the required examination is made and the required alteration and repairs are made.

Regulations for connection and use of water.

Entry for examination.

Obstructing officers misdemeanor.

Punishment.

SEC. 11. That the said board of water commissioners shall cause to be collected all rents, forfeitures, or emoluments arising

Collections.

Accounts.	from the operation of said system of water works of the city of Hendersonville, and they shall cause accurate accounts to be kept of all receipts and expenditures of money coming into their hands, and shall, at least once in each year, make a detailed report thereof to the board of commissioners of the city of Hendersonville, which said report the commissioners of the city of Hendersonville shall cause to be published at the front door of the city hall, or such other publication as they deem necessary, in order that the citizens of said city may have knowledge of the operation of said water and sewer systems, and the cost and expenses and income derived therefrom. Said board of water commissioners shall pay, or cause to be paid, such money as shall come into their hands to the treasurer of the board only upon warrant of said board of water commissioners.
Annual reports.	
Report to be published.	
Warrant for payment.	
Clerk and treasurer to board.	SEC. 12. That said board of water commissioners shall elect a clerk and treasurer to said board, who shall hold their offices at the pleasure of said commissioners. Either the treasurer or the clerk may be one of the commissioners, or if the commissioners deem necessary they may appoint some suitable persons not members of the board as either clerk or treasurer; the said clerk and treasurer before assuming the duties of their offices shall take an oath, to be administered by the mayor of the city of Hendersonville, to discharge faithfully the duties of their said offices, and shall give bond, with sureties approved by the board of water commissioners, in such sum as they deem necessary; said bond to be payable to the board of water commissioners of the city of Hendersonville, and their successors in office, and conditioned that they shall keep accurate minutes of the proceedings of the meetings of said commissioners, and safely keep all books, paper, and property, and moneys committed to their custody during their continuance in office, and their delivery to their successors, and the faithful performance of all other duties imposed upon them by said commissioners.
Officers to qualify and give bond.	
Collection of water rents.	SEC. 13. The said clerk shall collect all water rents, dues and demands which may be payable by any person or corporation on account of water supplied or sewer connections, or in any way due said water commissioners under this or any other act, and he shall faithfully keep all moneys which shall come into his hands by virtue and power of said office, and disburse the same only upon the warrant of said board of water commissioners; and he shall keep a fair and correct accounting of all moneys so received and disbursed by him, and that he shall submit said accounts to said water commissioners whenever required to do so, and that he shall pay his successor, on demand by him, all moneys held by virtue of his said office.
Disbursements.	
Accounts.	
Pay of clerk and treasurer.	SEC. 14. That the clerk and the treasurer shall receive such compensation as the said board of water commissioners may determine.

SEC. 15. That all the income derived from said water system on account of the use and rent of water in excess of the amount necessary to defray the expenses of operation and overhead, and to make necessary alterations, repairs, and additions to said system, shall be held and kept by said board in a separate fund to be known as the "Water Bonds Sinking Fund," and shall be used solely for the purpose of paying the interest and creating a sinking fund to retire the principal of bonds heretofore issued or hereafter to be issued for water works purposes. All such money shall be kept separate and apart from all other funds, and shall be invested only on security approved by said commissioners, and shall be so invested as to yield the highest rate of interest which is consistent with the safety of the principal.

Water bonds
sinking fund.

Specific appro-
priation.

Investments.

SEC. 16. That for the purpose of making alterations, extensions, enlargements, repairs, and additions to the present water works system, or for the purpose of erecting a new water works system, or for the purpose of providing sewers or sewer extensions, or for one or more or all of said purposes, for said city of Hendersonville, the board of commissioners of the city of Hendersonville are hereby authorized and empowered to issue bonds by the city of Hendersonville in the sum of not exceeding four hundred thousand dollars (\$400,000), which said bonds shall draw interest at not exceeding six per cent per annum, payable semiannually, which said bonds shall be payable at such time or times, not exceeding forty years from their date, and at such place or places as the board of commissioners of the city of Hendersonville may determine. Said bonds may be issued all at one time, or in suitable blocks, from time to time. Said bonds shall be in such denominations and in such form and tenor as the board of commissioners of the city of Hendersonville may determine, and shall be signed by the mayor of the city of Hendersonville, and have impressed thereon the seal of said city, to be attested by the clerk of said city, said bonds shall be coupon bonds and shall have attached thereto the proper number of coupons, which coupons shall bear the *facsimile* signature of the treasurer of said city: *Provided, however,* that none of said bonds shall be issued until written demand has been made upon the board of commissioners of the city of Hendersonville by the said water commissioners, and when the said board of water commissioners have demanded in writing of the city commissioners to issue bonds, it shall forthwith be the compulsory and mandatory duty of the said board of city commissioners to forthwith issue and execute bonds to the amount demanded by said commissioners not to exceed the amount mentioned in said demand, and said commissioners of said city shall turn over said bonds to the said water commissioners.

Purpose of bond
issue.

Bond issue
authorized.

Amount.

Interest.

Maturity.

Issue single or
"en bloc."

Authentication.

Coupon bonds.

Proviso: demand
for issue of bonds.

Bonds issued or
demanded.

SEC. 17. The said water commissioners are hereby authorized to sell the said bonds after first advertising the same in some

Sale of bonds.

Advertisement of sale.	newspaper published in the city of Hendersonville, and such advertisement shall appear in said newspaper at least one time ten days prior to the date of sale, but the said water commissioners may give such other notice of the sale of said bonds as to them may seem wise to insure the best sale of said bonds:
Proviso: private sale.	<i>Provided</i> , that in the event the said water commissioners receive no satisfactory bid for said bonds, pursuant to advertisement, as above mentioned, they may proceed to sell the bonds at private sale at such price as to them may seem most advantageous and practicable.
Special tax.	SEC. 18. Whenever any bonds are issued pursuant to this act it shall be the duty of the mayor and board of commissioners of the city of Hendersonville to levy annually, at the time other taxes are levied and collected, a special tax of sufficient rate and amount to pay the interest of said bonds as the same becomes due, and the principal thereof at maturity.
Annual report of sinking fund.	SEC. 19. In the event bonds are issued pursuant to this act it shall be the duty of said water commissioners to annually, not later than the first day of May in each year, certify to the board of commissioners of the city of Hendersonville, the amount of sinking fund held by them available for the payment of the interest and principal of bonds issued under this act, and to certify to the said board of city commissioners, the amount of taxes necessary and requisite to pay the interest and principal of bonds becoming due for the current year next after the date of such certification. And it shall be the mandatory duty of the board of city commissioners to levy a tax (taking into consideration the amount of sinking fund available) necessary and sufficient to pay the principal and interest of such bonds, which said tax shall be kept separate and apart from all other taxes, and shall be turned over to the treasurer of said water commissioners.
Certificate of amount of tax.	
Levy of tax mandatory.	
Specific appropriation.	
Payment of bonds.	SEC. 20. It shall be the duty of said water commissioners to pay promptly all the principal and interest of any bonds issued pursuant to this act punctually as the same become due. Any willful neglect of this section shall constitute a misdemeanor, punishable by fine not exceeding fifty dollars, or imprisonment not exceeding thirty days, or both, in the discretion of the court.
Willful neglect misdemeanor.	
Custody of proceeds of bonds.	SEC. 21. The proceeds from the sale of bonds issued under section sixteen of this act shall be turned over to the treasurer of said water commissioners, who shall be required to give an additional bond to protect the same, and the said funds shall only be used for the purposes for which said bonds are issued.
Treasurer to give additional bonds.	
Specific appropriation.	
Additional bond issue.	SEC. 22. The board of commissioners of the city of Hendersonville are hereby authorized and empowered to issue, in addition to the bonds authorized by section sixteen hereof, bonds of the city of Hendersonville in an amount not exceeding thirty thousand

dollars (\$30,000), the proceeds of which are to be used to repay a loan heretofore made by said city commissioners from the proceeds of the sale of two hundred and fifty thousand dollars street bonds, dated April first, one thousand nine hundred and twenty-one, which funds were used from said street funds for the purpose of making changes, alterations, and additions to water and sewer pipes occasioned by the paving and rebuilding of the streets of the city of Hendersonville. The said bonds shall be of such denomination, form, and tenor, and payable at such time or times not to exceed thirty years from their date, and at such place as the board of city commissioners may determine, and shall draw interest at the rate not to exceed six per cent, payable semiannually, and shall be signed by the mayor of the city of Hendersonville, and have impressed thereon the seal of said city, to be attested by the clerk; said bonds shall be coupon bonds, and shall have attached thereto the proper number of coupons, which coupons shall bear the *facsimile* signature of the treasurer of said city. The said bonds shall be sold by the city commissioners, after advertising the same for at least ten days in some newspaper published in the city of Hendersonville, said advertisement to appear at least one time in said newspaper. In the event the said city commissioners should fail to receive a satisfactory bid pursuant to said advertisement, they are hereby authorized and empowered to sell the said bonds at public or private sale, at such price as to them may seem best advisable.

Use of proceeds.

Denominations.

Maturity.

Interest.

Authentication.

Sale of bonds.

Advertisement of sale.

Private sale.

SEC. 23. That the said board of commissioners of the city of Hendersonville are hereby authorized and directed to levy annually, at the time other taxes are levied and collected, a special tax upon all the taxable property in the city of Hendersonville, of sufficient rate and amount to pay the interest and principal of said bonds authorized by the preceding section twenty-two.

Special tax.

SEC. 24. That the members of said board of water commissioners appointed by section two of this act, shall receive as their full compensation for services performed under this act, the same compensation as is now allowed to members of the board of commissioners of the city of Hendersonville.

Pay of water commissioners.

SEC. 25. That all bonds issued under and by virtue of this act shall constitute the full, direct, valid, and binding obligations of the city of Hendersonville.

Obligation of bonds.

SEC. 26. That the powers to issue the bonds mentioned in this act are deemed to be additional powers to those conferred by any other act, general or special, and shall not be affected by any condition, limitation, or restriction contained in any other act, general or special, including acts passed at the present session of the General Assembly, and particularly shall not be affected by any condition or restriction contained in the "Municipal

Powers additional.

Finance Act," as the same now exists, or may be reënacted, amended, or passed at the present session of the General Assembly.

Repealing clause.

SEC. 27. That all laws, and parts of law, inconsistent with the provisions of this act, be and the same are hereby repealed.

SEC. 28. That this act shall take effect on and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 114

AN ACT TO AMEND CHAPTER 300 OF THE PRIVATE LAWS OF NORTH CAROLINA, SESSION 1915, RELATING TO THE ELECTION AND INSTALLATION OF THE OFFICERS OF THE CITY OF SALISBURY.

The General Assembly of North Carolina do enact:

Reference corrected.

SECTION 1. That section one of chapter three hundred of the Private Laws of North Carolina, session one thousand nine hundred and fifteen, be and the same is hereby amended by striking out the word "two" in line one of said section, and inserting in lieu thereof the word "three."

SEC. 2. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 115

AN ACT TO VALIDATE ELECTION HELD IN SLADESVILLE HIGH SCHOOL DISTRICT, HYDE COUNTY, ON THE QUESTION OF ISSUING HIGH SCHOOL BONDS.

The General Assembly of North Carolina do enact:

Election validated.

SECTION 1. That the election held in Sladesville High School District, Hyde County, on the fifth day of November, one thousand nine hundred and twenty-one, to authorize an issue of bonds of said district in an amount not exceeding six thousand dollars value, is hereby validated notwithstanding any failure to comply with any statute regarding the due and proper advertisement of said election, and the said bonds may be delivered accordingly pursuant to any proper issue and sale thereof.

Delivery of bonds authorized.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 116

AN ACT TO AMEND THE CHARTER OF THE TOWN OF
CARRBORO, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That section eight of chapter three hundred and fifteen of Private Laws of North Carolina of one thousand nine hundred and eleven be, and the same is hereby amended by striking out the word "ten" in line three after the word "exceed" and before the word "cents" and substituting instead the word "fifty," and by striking out the word "thirty" in line four after the word "exceed" and before the word "cents," and substituting instead the words "one dollar and fifty cents."

Tax rate changed.

SEC. 2. That section five of chapter two hundred and thirteen of Private Laws of North Carolina of one thousand nine hundred and fifteen, be and the same is hereby amended by striking out the word "ten" in line three after the word "exceed" and before the word "cents," and substituting instead the word "fifty," and by striking out the word "thirty" in line five after the word "exceed" and before the word "cents," and substituting instead the words "one dollar and fifty cents."

Tax rate.

SEC. 3. That section ten of chapter three hundred and fifteen of Private Laws of North Carolina of one thousand nine hundred and eleven, be and the same is hereby amended by striking out everything after the period after the word "ordinance" in line seven and before the word "The" beginning line eleven.

Jurisdiction of mayor.

SEC. 4. That section fourteen of chapter three hundred and fifteen of Private Laws of North Carolina of one thousand nine hundred and eleven, be and the same is hereby repealed, and the following substituted instead:

Ordinances effective.

"SEC. 14. All ordinances adopted by the commissioners shall be in force and effect from their adoption."

SEC. 5. That section two of chapter two hundred and thirteen of Private Laws of North Carolina of one thousand nine hundred and fifteen, is hereby repealed.

Right to condemn land.

SEC. 6. That in addition to the powers specifically granted to the town of Carrboro in the act creating it, and its acts amendatory thereof, the said town is hereby vested with all of the powers contained in the general laws of the State of North Carolina relating to cities and towns now in force, or that may be hereafter enacted.

Powers under general laws.

SEC. 7. All laws and parts of laws in conflict with this act are hereby repealed in so far as they are in conflict with it.

Repealing clause.

SEC. 8. This act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 117

AN ACT TO AMEND CHAPTER 344, PRIVATE LAWS OF NORTH CAROLINA, SESSION OF 1907, RELATING TO THE CHARTER OF THE CITY OF CONCORD.

The General Assembly of North Carolina do enact:

Boundary.

SECTION 1. That section one of chapter three hundred and forty-four of the Private Laws of North Carolina, session one thousand nine hundred and seven, be amended by striking out all after the word "road" in line eight down to and including the word "Street" in line thirteen, and inserting in lieu thereof the following: "thence north seven west one thousand seven hundred and eighty-seven feet to a stone on Lacey Street; thence north forty-six west nine hundred and fifty-two feet to the public road or East Depot Street extended; thence north forty-six west two thousand two hundred and forty-five feet to a stone; thence north sixty-nine west one thousand seven hundred and eighty feet to St. Charles Street."

Territory added to Ward 3.

SEC. 2. That the territory hereby taken into the corporate limits of the city of Concord lying between East Corbin and East Depot Streets, shall be included in and constitute a part of Ward Number Three; and the territory hereby taken into the corporate limits of the city of Concord lying between East Depot and St. Charles streets, shall be included in and constitute a part of Ward Number Two.

Territory included in Ward 2.

Repealing.

SEC. 3. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 4. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 118

AN ACT TO AUTHORIZE THE APPOINTMENT OF A SPECIAL POLICE OFFICER FOR PUBLIC SCHOOL DISTRICT NO. 19, WANCHESE, DARE COUNTY.

The General Assembly of North Carolina do enact:

Appointment of special officer ordered.

Powers.

Term of office.

SECTION 1. That the board of county commissioners of Dare County is hereby authorized, empowered, and directed to appoint and designate a special police officer who shall be authorized and directed to keep the peace, make arrests, enforce the criminal law, and serve civil and criminal process within the boundaries of Public School District Number Nineteen, Wanchese, Dare County. The said police officer shall hold office until December, one thousand nine hundred and twenty-two.

SEC. 2. In the performance of his duties, as above stated, said officer is authorized, empowered, and directed to immediately arrest all parties violating any of the criminal laws of the State in his immediate presence or upon reliable information of the violation of said laws within twelve hours thereafter, and shall at once take the party so arrested to the nearest justice of the peace and obtain proper warrant for said arrest, whereupon the case shall be disposed of in the manner required by existing laws.

Arrests without
warrant.

Speedy hearing.

SEC. 3. That in case of the death or resignation of any persons serving as said special police officer, the vacancy so created shall be filled for the unexpired term by the board of county commissioners of Dare County.

Vacancy.

SEC. 4. That the said special officer shall wear a badge stamped with the word "Wanchese Special Police," and shall receive as compensation for his services in serving civil or criminal process fifty per cent in addition to the fees now prescribed by law for such service, and in addition thereto such other compensation as the board of county commissioners of Dare County may see fit to pay.

Badge.

Fees and com-
pensation.

SEC. 5. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 6. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 119

AN ACT TO AMEND THE CHARTER OF THE TOWN OF TRINITY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the town of Trinity, Randolph County, North Carolina, be and the same is hereby amended so as to give the town police jurisdiction for one mile beyond the corporate limits in each direction: *Provided, however,* that any fines or penalties collected in such additional territory shall be paid to the county board of education.

Police jurisdiction.

SEC. 2. That the town of Trinity shall have authority to provide for the improvement of streets and the maintenance of the same within the limits defined in section one of this act, by and with the agreement of the board of county commissioners or county highway commission of Randolph County, or by the town acting alone.

Improvement of
streets.

SEC. 3. The present officials of the said town are hereby confirmed in the offices they now hold, until their successors shall be duly elected and qualified, to wit, Mayor, W. C. Massey, and Com-

Town officers
confirmed.

missioners, D. C. White, J. Parkin, J. C. Pepper, and B. Craven; and these shall have power to fill vacancies in said offices until the next regular town election in May, one thousand nine hundred and twenty-three.

Penalties and
fines to use of
streets and
sidewalks.

Costs.

Repealing clause.

SEC. 4. Penalties and fines collected in the mayor's court for violation of town ordinances within the corporate limits of the town shall be expended for the improvements of the streets and side-walks of the town, and in the town shall have power to fix costs to be assessed in convicted cases.

SEC. 5. That all laws and clauses of laws in conflict with this act are hereby repealed in so far as they affect the act.

SEC. 6. That this act shall be in effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 120

AN ACT RELATING TO BONDS OF THE TOWN OF LITTLETON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Preamble: offer
of bonds.

SECTION 1. Whereas the town of Littleton, pursuant to an election held in the said town on the twenty-fifth day of October, one thousand nine hundred and twenty-one, authorizing the issuance of one hundred and forty thousand dollars water, sewer, street, and electric light bonds, after due advertising, as required by the Municipal Finance Act, offered for sale one hundred and forty thousand dollars of its bonds; and

Preamble: no
legally acceptable
bids.

Whereas no legally acceptable bid was received for said bonds: and

Preamble: sale to
interest of town.

Whereas it is to the interest of the town of Littleton that said bonds be sold so that the improvements authorized at said election can be carried out,

Sale authorized.

Now, therefore, the governing body of said town is hereby authorized to sell said bonds at public or private sale at a price not less than par and accrued interest, and to pay a commission or allowance of not more than five per cent of the par value of said bonds to the purchaser thereof: *Provided*, that such sale shall be made within ninety days after the expiration of the time fixed or limited by said advertisement for the submission of bids; and, *Provided further*, that it shall be determined as a fact by the governing body of the town of Littleton that an immediate sale of said bonds is necessary.

Commission on
sale.

Proviso: time of
sale.

Proviso: determi-
nation of
necessity.

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 121

AN ACT RELATING TO THE TOWN OF MURPHY IN CHEROKEE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen or town commissioners of Murphy shall not collect to exceed one dollar and fifty cents of tax on each one hundred dollars worth of property in said town, for the year one thousand nine hundred and twenty-one. Nor shall said aldermen or commissioners remit any per cent of said tax because paid before a certain date nor add or collect any penalty for failure to pay same before a certain time. This shall apply only to the taxes of one thousand nine hundred and twenty-one.

Limit of tax rate.

Discounts and penalties forbidden.

SEC. 2. This act shall be in full force and effect from and after its ratification.

Limitation.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 122

AN ACT TO AMEND CHAPTER 647 OF THE PUBLIC-LOCAL LAWS OF 1911, AND CHAPTER 304 OF THE PUBLIC-LOCAL LAWS OF 1913, RELATIVE TO THE RECORDER'S COURT OF THOMASVILLE.

The General Assembly of North Carolina do enact:

SECTION 1. That section three of chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by striking out the words "Not to exceed fifty dollars per month" in lines six and seven thereof.

Salary of recorder.

SEC. 2. That section five of chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by adding after the word "Thomasville" and before the word "as" in line three thereof, the following: "and original and concurrent jurisdiction with justices of the peace of all misdemeanors occurring or committed within a radius of one mile of the corporate limits thereof."

Jurisdiction.

SEC. 3. That section six of chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by adding after the word "Thomasville" and before the word "wherein" in line four thereof, the following: "and original and concurrent jurisdiction

Jurisdiction.

with justices of the peace of all offenses committed outside the corporate limits of said municipality and within a radius of one mile thereof."

One-half fees on acquittals.

SEC. 4. That section nine of chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and eleven be and the same is hereby amended by adding at the end of said section the following: "In all cases which are not violations of the city ordinances from which no costs are collected on account of acquittals the county shall pay one-half the costs as is now provided by law, ~~except~~ the fees of the solicitor."

Work of convicts.

SEC. 5. That section ten of chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by striking out the words "Lexington Township" in line five thereof, and inserting in lieu thereof the following: "Davidson County: *Provided*, such sentence may be made to work on the streets or other public works of the city of Thomasville."

Work of convicts.

SEC. 6. That section twelve of chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and eleven, be and the same are hereby amended by striking out the words "Lexington Township" in line ten thereof and inserting in lieu thereof the words "Davidson County."

Proviso: extent police powers.

SEC. 7. That section fourteen of chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by adding at the end of said section the following: "*Provided*, the police of the city of Thomasville may make arrest and serve process issued to them from the court outside the corporate limits of the municipality, but within the radius of one mile thereof."

SEC. 8. That section twenty of chapter six hundred and forty-seven of the Public-Local Laws of one thousand nine hundred and eleven, be and the same is hereby amended by striking out the words "Lexington Township" in line two thereof and inserting in lieu thereof the words "Davidson County."

Fees of solicitor.

SEC. 9. That section one of chapter three hundred and four of the Public-Local Laws of one thousand nine hundred and thirteen, be and the same is hereby amended by striking out the word "one" in line seven of said section, and inserting in lieu thereof the word "two," and by striking out the word "two" in line nine of said section and inserting in lieu thereof the word "four."

SEC. 10. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

SEC. 11. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 123

AN ACT TO AMEND CHAPTER 382, PUBLIC LAWS, SESSION 1903, RELATIVE TO FAYETTEVILLE GRADED SCHOOLS.

The General Assembly of North Carolina do enact:

SECTION 1. That section twenty-two (22), chapter three hundred and eighty-two (382), Public Laws, session one thousand nine hundred and three, be amended to read as follows:

"SEC. 22. That said trustees may elect a principal for the graded schools for white children, (who may be superintendent), and may elect a principal for the graded schools for colored children, annually, at such time as may be deemed best for the interests of the schools. The teachers for both white and colored schools may also be elected at such time or times as the best interests of the schools may require. In the election of teachers, preference shall be given to those applicants who have attended schools for the training of teachers."

Election of principals.

Election of teachers.

Preference to attendants of training schools.

SEC. 2. That all laws and parts of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 124

AN ACT REGULATING DISCOUNTS AND PENALTIES ON TAXES IN THE TOWN OF WAYNESVILLE, HAYWOOD COUNTY.

The General Assembly of North Carolina do enact:

SECTION 1. That all taxes levied against property and polls by the town of Waynesville, Haywood County, shall be due the first Monday in October of each year, and on all taxes paid to said town in the months of October and November a discount shall be given to the taxpayer of one per cent (1%). All taxes paid to said town in the months of December and January shall be paid at the net amount charged, and from and after the first day of February interest at the rate of one per cent (1%) per month shall be charged and collected by the tax collector for said town, that is to say, that all taxes paid in the month of February, after the first day of February, interest at the rate of one per cent (1%) shall be added on the taxes paid; and in the month of March, after the first day of March, interest at the rate of two per cent (2%) shall be added, and additional interest at the rate of one per cent (1%) for each additional month of

Taxes due.

Discount for payment.

Net payment.

Penalties on delayed payments.

Credits in settlements.

delay in settlement of same. Upon all taxes paid to the treasurer of said town by the tax collector of said town, on or before the second day of December, the said town treasurer shall allow credit against the total amount of taxes charged against such tax collector a discount of one per cent (1%), and upon all payments made by such tax collector to said town treasurer between the second day of December and the second day of February, payments shall be credited at the net amount of such payments. Upon all taxes charged against such town tax collector and remaining unpaid on the first day of February, interest at the rate of one per cent (1%) per month shall be added to so much of said taxes as remain charged against such town tax collector of the town of Waynesville and unpaid on the second day of each succeeding month thereafter until paid.

Penalties charged against collector.

Repealing clause.

SEC. 2. All laws and parts of laws in conflict with this act are hereby repealed.

Uncollected taxes.

SEC. 3. That this act shall be in force from and after its ratification and shall apply to the uncollected taxes now in the hands of the tax collector for said town of Waynesville.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 125

AN ACT TO PERMIT THE BOARD OF COMMISSIONERS OF THE TOWN OF ROXBORO TO IMPOSE A PENALTY FOR FAILURE TO PAY TOWN TAXES AND TO ALLOW DISCOUNTS.

The General Assembly of North Carolina do enact:

Penalty on unpaid taxes.

SECTION 1. That the board of commissioners of the town of Roxboro is hereby empowered in the exercise of its discretion and by resolution duly adopted by it to impose a penalty of not exceeding one per cent per month upon all the taxes which are due and remain unpaid after February the first next, after the same are levied in any year, and the authorities of said town shall have the power and authority to collect said penalties in the same manner as the regular taxes are now collected.

Discount allowed.

SEC. 2. That said board of commissioners is further empowered in the exercise of its discretion and by resolution duly adopted by it may allow a discount of one per cent upon all town taxes which are due and paid on or before December first after the same become due.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 126

AN ACT TO REPEAL CHAPTER 216 OF THE PRIVATE LAWS OF 1921, RELATIVE TO POLICE PENSION FUND IN THE CITY OF WILMINGTON, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter two hundred and sixteen of the Private Laws of the session of one thousand nine hundred and twenty-one, be and the same is hereby repealed.

Laws specifically repealed.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

General repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 127

AN ACT REQUIRING THE GOVERNING BOARD OR BOARD OF COMMISSIONERS OF THE TOWN OF MURPHY TO AUDIT THE BOOKS AND ACCOUNTS OF SAID TOWN.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of commissioners or governing body of the town of Murphy, in Cherokee County, North Carolina, are hereby required to have the books and accounts of the town of Murphy duly and properly audited, by a duly licensed and certified accountant.

Governing body to have books audited.

SEC. 2. When said books and accounts are audited, such accountant shall make separate statements showing the receipts and disbursements from each fund or source, also receipts and disbursements from bond sales, if any, showing the price at which said bonds were sold and disbursements from each bond issue; the cost of different improvements, then after making separate statements said accountant shall recapitulate same and make a final general balance sheet.

Separate statements.

General balance sheets.

SEC. 3. That said accountant shall, and is hereby authorized to go back for any number of years he may deem necessary, in order to make an intelligent showing of the affairs of the town.

Extent of audit.

SEC. 4. That the members of said board or any of them who fail to provide for and have said books audited shall be guilty of a misdemeanor and punished in the discretion of the court by fine or imprisonment not exceeding two hundred dollars, or two years imprisonment, or both, and in addition thereto be liable to a penalty of five hundred dollars, recoverable at the suit of any

Failure to provide for audit misdemeanor.

Punishment. Penalty.

taxpayer in Murphy, one-half of which penalty shall go to the party suing for same, and the other half to the general fund of the town of Murphy.

Time for beginning audit. SEC. 5. The auditing of said books and accounts shall be begun not later than February first, one thousand nine hundred and twenty-two, and completed as soon as practicable: *Provided, however,* if said commissioners cannot secure the services of a duly licensed and certified accountant to begin such work at the time herein provided, then the same shall be begun as soon thereafter as the services of a duly licensed and certified accountant can be secured.

Audit to be filed. SEC. 6. That when said audit is completed the same shall be filed in the office of secretary or clerk of said town, and by him recorded, not pasted or fastened, in the record of minutes of said town, and at all times be open to inspection of any citizen of Murphy.

Audit open for inspection. SEC. 7. That the commissioners of said town of Murphy shall cause to be kept a full and complete set of books of accounts showing receipts and disbursements; also showing separate accounts of all funds and sources from which any and all funds come; also full and complete accounts of all purchases, keeping purchases, receipts and disbursements of each department separately, and shall monthly balance the books and all accounts.

Accounts balanced monthly. SEC. 8. That it shall be unlawful for any clerk or secretary or any person to paste or otherwise fasten papers to sheets of minute book or other record book of the town of Murphy, and any person guilty of pasting or fastening any paper to pages or sheets of any minute or record book of said town shall be guilty of a misdemeanor.

Pasting sheets in record books forbidden. Misdemeanor. SEC. 9. That all expenses incident to such auditing shall be paid for by the town of Murphy.

Expense of audit. SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 128

AN ACT TO AUTHORIZE THE BOARD OF ALDERMEN OF THE CITY OF NEW BERN TO OPEN, AND, IF NECESSARY, TO CONDEMN LAND, IN SAID CITY, FOR THE USE OF A RAILROAD SIDE-TRACK.

The General Assembly of North Carolina do enact:

Power to establish right of way. SECTION 1. That the board of aldermen of the city of New Bern is hereby authorized and empowered to lay off, establish, and open, in, over, through, and across the territory in said city bounded by Hancock Street, South Front Street, Neuse River

Territory affected.

and Trent River, for the use of a railroad side-track and convenience of industries already established or to be established in said territory, a right of way, not less than twenty feet in width, and extending from the main track of the Atlantic and North Carolina Railroad company in Hancock Street to Union Point on Neuse River, in the same manner as said board is authorized by section fifty-three of chapter eighty-two of the Private Laws of one thousand eight hundred and ninety-nine to lay off and establish new streets, and all the provisions of said section shall apply if condemnation be necessary to acquire such right of way.

Width and length.

SEC. 2. That all laws and clauses of laws in conflict with this act are hereby repealed.

Power as of opening street.

Repealing clause.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 129

AN ACT TO AUTHORIZE AND EMPOWER THE TOWN OF HOT SPRINGS TO TRANSFER REAL ESTATE BELONGING TO SAID TOWN, KNOWN AS WATERSHED TRACT.

Whereas the town of Hot Springs was authorized and empowered to create, establish, maintain, and operate a water system for said town under a private act of the General Assembly, chapter.....of the Private Laws of one thousand nine hundred and.....: and

Preamble: authority to create water system.

Whereas by virtue of said act, the said town of Hot Springs through its officers acquired a one-half undivided interest in a certain boundary of land, purchased from George E. Brighteon, and known as the interest of J. C. and Mrs. Florence B. Rumbough, consisting of about nine hundred acres, and further known as the watershed tract; and

Preamble: interest in land acquired.

Whereas said town of Hot Springs is unable to acquire a title to the other one-half undivided interest in said tract of land: and

Whereas the United States Government, through its Agricultural Department, contemplates acquiring and taking over said tract of land for the purpose of its forest reserve; and

Preamble: part of forest reserve.

Whereas said government and its officials have expressed its willingness to allow the said town of Hot Springs the right to use the whole of said tract of land of nine hundred acres for watershed purposes; and

Preamble: use of tract by town.

Whereas it appears to the board of aldermen of said town of Hot Springs that it will be to the best interest of the town to transfer the town's one-half interest to the Agricultural Depart-

Preamble: interest of town.

ment of the United States Government, reserving the right to use the water from the said lands to supply the town's system of waterworks, and to use said boundary of land as a watershed for the town's said water system free of charge by the government: Now, therefore,

The General Assembly of North Carolina do enact:

Transfer
authorized.

SECTION 1. That the town of Hot Springs, through its officers, be and it is hereby authorized and empowered to transfer its one-half interest in the tract of land consisting of about nine hundred acres, and known as the watershed tract, and being the same purchased from George E. Brighten, to the United States Government, or its Agricultural Department, or in any other way that the said government may direct, reserving the right to said town to use said tract of land as a watershed and the waters therefrom for its water system as contemplated by this act.

Rights reserved.

Repealing clause.

SEC. 2. That all laws and clauses of laws in conflict with the provisions of this act be, and the same are hereby repealed.

When act effective.

SEC. 3. That this act shall be enforced from and after its ratification.

Copies to mayor.

SEC. 4. Upon the ratification of this bill the Secretary of State shall certify two copies of this act to the mayor of the town of Hot Springs.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 130

AN ACT CONFERRING CERTAIN POWERS UPON THE CITY OF GREENSBORO.

The General Assembly of North Carolina do enact:

SECTION 1. That in addition to the powers heretofore granted to the city of Greensboro in its charter and under the general laws of the State, the said city in its corporate capacity, in the interest of public health, safety, and general welfare, is authorized by ordinance:

Building
regulation.
Districts.

(a) To regulate and limit the height and bulk of buildings hereafter erected or altered, and, for these purposes, to divide the city into districts, of such number, shape, and area as it may deem best suited for the purposes: *Provided*, that said regulations and limits shall be uniform for each class or grade of buildings throughout each district, and that the regulations in one or more districts may differ from those of other districts.

Proviso:
regulations and
limits uniform.
Regulations differ
as to districts.

Regulation of
yards and courts.
Districts.

(b) To regulate and determine the area of yards, courts, and other open spaces in connection with buildings hereafter erected or altered, and for these purposes to divide the city into dis-

tricts, of such number, shape, and area as it may deem best suited to the purposes: *Provided*, that said regulations and determinations shall be uniform for each class or grade of buildings throughout each district, and that the regulations in one or more districts may differ from those of other districts.

Proviso:
regulations
uniform.

Differ as to
districts.

(c) To regulate and restrict the locations of trades and industries, the location of buildings designed for specified uses, and to divide the city districts of such number, shape, and area as it may deem best suited for the purposes; and for each such district, regulations may be imposed, designating the trades and industries which shall be excluded or subjected to special regulations and designating the use for which buildings may not be erected or altered.

Location of
trades and
industries.

Districts.

(d) To create special assessment districts whenever it is proposed to open any new street, or widen, alter, or change the lines of any existing street, the district to be created to include such property as will, in the opinion of the governing board, be benefited by said new street, or extension, widening or changing of any old street, and that said ordinance shall define the proposed new street or extension or change in any old street, and also define the lines of the district embracing property which will be benefited by said street improvement, and shall further provide for the appointment by the governing board of three disinterested freeholders of said city to assess the benefits and damages that will accrue to property owners by the opening, extending, widening, or otherwise changing said street. Said governing board is authorized to pass suitable ordinances to carry into effect the provisions of this subsection, that whenever the amounts and benefits ascertained against the respective property in such districts, the same shall be a lien upon the respective parcels of property, and be collected in a manner that is now provided for the collection of taxes in said city. The governing board is authorized to permit paying of the liens upon such property in not more than five annual installments. It shall be the duty of the freeholders assessing the benefits and damages to take into consideration the harm, loss, or damage that will be occasioned the respective parcels of property by such street improvements, and also the benefit that will accrue to the said property, and report the same to the governing board under their hands and seals. When said reports shall be confirmed by the governing board it shall be an adjudication binding upon all parties interested, unless the governing board or some property owner is dissatisfied with some part of the appraisal, or with the benefits or damages assessed as to some particular piece of property, in which event the city or the dissatisfied property owner may appeal to the Superior Court of Guilford County. Upon such appeal it shall be the duty of the city clerk to submit to the clerk

Assessment
districts.

Assessments.

Ordinances.

Lien of
assessment.

Payment in
installments.

Considerations
governing
assessments.

Effect of confirma-
tion of report.

Right of appeal.

Case on appeal.

of the Superior Court a certified copy of the necessary part of the proceedings, and the same shall be docketed and heard by the judge of the court at term. The money received from such assessments shall be used in paying for the lands and other costs of said street improvements.

SEC. 2. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 131

AN ACT TO IMPROVE THE STREETS IN THE TOWN OF BAKERSVILLE.

The General Assembly of North Carolina do enact:

Right given
county commis-
sioners.

Plans for work.

SECTION 1. That the board of road commissioners of Mitchell County shall have the right to construct the paving and hard-surfacing of the Toecane-Bakersville road through the streets of Bakersville, according to the map, plans, and specifications furnished them by W. F. Deneen, civil engineer, under date of November first, one thousand nine hundred and twenty-one.

SECTION 2. That this act shall be in effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 132

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF THE TOWN OF MOCKSVILLE, IN DAVIE COUNTY, TO ISSUE BONDS OF SAID TOWN TO FUND A FLOATING INDEBTEDNESS.

Preamble:
money borrowed
on note.

Whereas the board of commissioners of the town of Mocksville in Davie County, or the duly constituted authorities thereof, did on the first day of October, one thousand nine hundred and twenty-one, borrow the sum of forty thousand dollars for the purpose of defraying the expense of providing a system of water and sewer for said town and issue the note of said town therefor; and

Preamble:
maturity of note.

Whereas said note falls due October first, one thousand nine hundred and twenty-two, and is a valid obligation of said town, and was issued for a necessary expense thereof. Therefore,

The General Assembly of North Carolina do enact:

Bond issue
authorized.

SECTION 1. That the board of commissioners of the town of Mocksville in Davie County, is hereby authorized to issue bonds

of said town in an aggregate principal amount not exceeding the sum of forty-two thousand four hundred dollars (\$42,400), to be styled "Town of Mocksville funding bonds of one thousand nine hundred and twenty-two." That said bonds may be issued in such denominations as said board of commissioners may determine, shall be executed in such manner, shall be payable at such time or times not more than thirty years after their respective dates, and shall bear interest at such rate or rates not exceeding six per cent per annum, payable semiannually, as said board of commissioners may by resolution direct.

Amount.
Official
entitlement.
Denominations.
Maturity.
Interest.

SEC. 2. The only procedure necessary for the issuance of said bonds shall be the passage of an appropriate resolution for said board of commissioners providing for the issuance thereof, the advertising of said bonds for sale, the award of said bonds, the execution thereof by such officers as may be authorized so to do by said board of commissioners, and the delivery of said bonds to the purchaser upon payment of the purchase price. Said bonds shall be sold at not less than par and interest after advertising them for sale in some newspaper published in Davie County: *Provided, however*, if no bid of par and interest is received pursuant to such advertisement the said board may within sixty days thereafter sell said bonds at private sale at not less than par and interest. Said board may cause such further advertisement to be made of such sale as it may deem advisable.

Procedure.

Sale below par
forbidden.
Advertisement.
Proviso.
Private sale.
Further
advertisement.

SEC. 3. That the proceeds derived from the sale of said bonds shall be used only for the specific purpose of paying off, liquidating, and discharging the said note of forty thousand dollars (\$40,000), and interest mentioned in the preamble of this act: *Provided, however*, the purchaser of said bonds shall not be charged with the duty of seeing after the proper application of said funds.

Specific
appropriation.

Proviso:
obligation of pur-
chaser divested.

SEC. 4. The board of commissioners of the town of Mocksville is hereby further authorized to levy annually a special tax *ad valorem* on all taxable property in said town for the purpose of paying the interest on said bonds issued under the provisions of this act, as said interest falls due, and for the purpose of paying the principal of said bonds as it falls due, which special tax shall be in an amount sufficient for said purpose, and shall be in addition to all other taxes authorized by law to be levied in said town.

Special tax.

SEC. 5. This act shall not be deemed to be repealed by any subsequent act passed at the present session of the General Assembly, and particularly by any act amending or reënacting the Municipal Finance Act.

Effect of
other acts.

SEC. 6. That this act shall be in force and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 133

AN ACT TO VALIDATE SCHOOL BONDS IN THE TOWN OF
MOUNT AIRY, NORTH CAROLINA.*The General Assembly of North Carolina do enact:*Issue and sale
validated.

SECTION 1. That a certain issue of school bonds in the aggregate amount of forty thousand dollars (\$40,000), and bearing six per cent (6%) interest, ordered to be issued by the town of Mount Airy, dated July first, one thousand nine hundred and twenty-one, and maturing July first, one thousand nine hundred and fifty-one, for the purpose of erecting school buildings in said town, are hereby validated in all respects, including the sale of same, which has been contracted after advertising, and that the said bonds shall now be issued and delivered in accordance with the regulations previously made by the officials of said town of Mount Airy, and the said bonds shall be incontestable after delivery, notwithstanding any omission in the details of any advertising or other proceedings, or any default therein.

Issue and
delivery.Incontestable
after delivery.

Repealing clause.

SEC. 2. All acts and parts of acts in conflict with this act are hereby repealed insofar as they affect this act.

SEC. 3. This act shall be in effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 134

AN ACT TO VALIDATE THE ISSUANCE AND SALE OF
CERTAIN SCHOOL BONDS FOR BENSON GRADED HIGH
SCHOOL DISTRICT, NUMBER 1, OF BANNER TOWNSHIP,
JOHNSTON COUNTY, NORTH CAROLINA.*The General Assembly of North Carolina do enact:*Issuances and sale
of bonds validated.

SECTION 1. That the issuance and sale of school bonds by the board of trustees of the Benson Graded High School District, Number One, White, Banner Township, Johnston County, North Carolina, in the sum of twenty thousand dollars (\$20,000), dated June one, one thousand nine hundred and twenty-one, for the purpose of enlarging, altering, improving, and equipping the graded school building and grounds in said district, be and the same are hereby validated, as to the issuance, maturity, form, and sale thereof, and as to the levying and collecting of taxes for the retirement of said bonds as therein provided for.

SEC. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 135**AN ACT TO REPEAL CHAPTER 57 OF THE PRIVATE LAWS OF 1920, RELATING TO THE TOWN OF WAYNESVILLE.**

The General Assembly of North Carolina do enact:

SECTION 1. That chapter fifty-seven of the Private Laws for the year one thousand nine hundred and twenty, relating to publishing statement of the finances of the town of Waynesville, be and the same is hereby repealed. Law repealed.

SEC. 2. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 136**AN ACT TO AMEND CHAPTER 409 OF THE PUBLIC LAWS OF NORTH CAROLINA OF 1899, ENTITLED "AN ACT TO ESTABLISH GRADED SCHOOLS IN THE TOWN OF WASHINGTON."**

The General Assembly of North Carolina do enact:

SECTION 1. That section one of chapter four hundred and nine of the Public Laws of North Carolina, session of one thousand eight hundred and ninety-nine, entitled "An act to establish graded schools in the town of Washington," be amended by striking out section one and inserting in lieu thereof the following: Law amended.

"SECTION 1. That the following territory in Beaufort County be and is hereby created a public school district for the white and colored children and shall be known as 'Washington Public School District,' namely: 'Beginning at the mouth of Kennedy's Creek and thence up said creek to a point where the Grimes-Simmons line intersects said creek; thence with the said Grimes-Simmons line to the old Washington and Greenville County road; thence with said road to Cypress Branch and with said branch to Cherry's Run; thence up said run to the Washington and Williamston road; thence continuing up the run to the south fork of said run; thence with the south fork of said Cherry's Run to Hoyt's lead ditch and with said lead ditch to Hoyt's road; thence with said road to its intersection with the Havens-Rodman line; thence with said Havens-Rodman line to Rodman's wire fence (the course and location of said fence to be determined by survey); thence with said fence to the Washington-Jamesville road; thence with said road to the corner between the Baugham line and the old Parker place; thence with said line to its intersection with the old Smallwood line; thence with the old Smallwood-Baugham line to the county home line; thence with said line

Washington public school district.
Boundary.

to the concrete Bath road; thence with said road to the old Brick Kiln road; thence eastwardly with said Brick Kiln road to the River road; thence across and with said River road to the corner of the property of the "Washington Collegiate Institute"; thence in a southwestwardly direction with said property line to Pamlico River; and thence up and with said river to Kennedy's Creek.' That within the boundaries aforesaid are included the city of Washington, and also certain territory lying outside of and contiguous to the boundaries of said city."

Corporate names.

SEC. 2. That the corporate name of "The Board of School Trustees of the town of Washington" be and the same hereby is changed to "The Board of School Trustees of the city of Washington," and they shall exercise the same jurisdiction and powers within the school district herein enlarged as they formerly exercised in the original school district created by the act herein amended and all amendments thereto. That the board shall consist of seven members as heretofore, that the existing members shall serve the enlarged district until the expiration of their term, and their successors shall be elected by the board of aldermen of the city of Washington, and be divided into classes and serve for the same term as heretofore provided.

Jurisdiction and powers.

Number of trustees.
Present members to fill out terms.

Election of successors.

Treasurer of city to be treasurer of district.

Proviso: trustees may elect independent treasurer.

Term of office.

Bond.

Tax collector.

Powers and liabilities.

Settlement.

Bonds of treasurer and of tax collector.

School funds kept separate.

SEC. 3. That the treasurer of the city of Washington shall by virtue of his office be, and he is hereby, constituted the treasurer of the enlarged school district herein created: *Provided*, that the board of school trustees of the city of Washington may in their discretion elect another to act independently as treasurer of the Washington Public School District, whose term of office shall begin at the beginning of the ensuing fiscal school year, and who shall be elected annually, and shall execute bond with sufficient surety in such sum as the board shall determine for the faithful discharge of his duties. That the tax collector of the city of Washington, by whatever title designated, be and he is hereby constituted the tax collector of the enlarged school district herein created, and he is hereby authorized and directed to collect all taxes imposed on persons and property in said district at the same time and in the same manner and with the same liability as provided by law for the collection of city taxes, and shall pay over the same as collected to the treasurer of the Washington Public School District. That the treasurer and tax collector aforesaid shall execute such bonds or additional bonds as may be required by the board of aldermen of the city of Washington or the board of school trustees, respectively, the former for the safe-keeping and lawful expenditure of all funds which may come into his hands for the use of said schools, and the tax collector for the faithful collection and paying over of such school funds as belong to such school district. Both the treasurer and tax collector shall keep said school funds separate from all other

moneys, and the treasurer shall disburse the same only upon a Warrants on fund.
 warrant signed by the chairman or the vice-chairman and secretary of the board of school trustees.

SEC. 4. That for all the purposes and benefits of this act and the administration thereof, the provisions of all laws governing the assessment of real and personal and other property, the levy and collection of municipal taxes, and the holding of municipal elections in the city of Washington, shall be and are hereby made applicable to all that portion of the said Washington Public School District lying outside of the municipal boundaries of the city, as fully as if the same lay within said boundaries, and that in all elections held in said school district the board of aldermen of the city of Washington may create into a ward or wards or attach to any ward or wards the whole or any part of the territory lying outside of said boundaries. That in the execution of the powers conferred upon them by this act, the municipal authorities of the city of Washington are hereby vested with the same powers within the entire school district as they now possess within the boundaries of the city of Washington, the intent of this act being to confer upon the mayor and board of aldermen the same authority regarding the public school district hereby created which they have heretofore exercised when the Washington Public School District was coterminus with the boundaries of the city.

Laws extended to district.

Election wards.

Powers vested in municipal authorities.

SEC. 5. That a special tax to maintain and support the public schools in the above described territory, not exceeding forty-five cents (45c) on each one hundred dollars (\$100) worth of real and personal property and other property taxed by the laws of North Carolina, and not exceeding one dollar and thirty-five cents (\$1.35) upon each poll, shall be levied in said school district and collected annually by the municipal authorities of the city of Washington in the manner herein provided, this being the maximum tax authorized by vote of the people. If for any reason the municipal authorities of the city of Washington shall determine that they are not lawfully authorized herein to levy and collect such taxes upon the property and polls in that part of the school district lying outside of the municipal limits for the support of the schools of the district; or, if they shall be lawfully enjoined or prevented from so doing by any court of competent jurisdiction, then in either of such events, the board of aldermen of the city of Washington are hereby required forthwith to submit to the qualified voters of that part of said school district lying outside of the municipal boundaries, the question of whether an annual tax not exceeding forty-five cents (45c) on each one hundred dollars (\$100) valuation of taxable property and one dollar and thirty-five cents (\$1.35) on the poll, shall be levied and collected for the support of the public schools of the Washington

Special tax.

Limit of rate.

Collection of tax.

Election.

Law governing election.

Public School District. Such election shall be held and the result ascertained and with the same effect as provided under the general school law for submitting the question of a special school tax in school districts, except that the election shall be held in the same manner as provided by law for holding municipal elections in said city.

Law as amended to remain in force.

SEC. 6. That chapter four hundred and nine of the Public Laws of North Carolina, session of one thousand eight hundred and ninety-nine, entitled "An act to establish graded schools in the town of Washington," and all the provisions thereof, shall remain in full force and effect, and shall be applicable to the Washington Public School District, as herein enlarged, except insofar as the same is modified by this act or by other acts.

Repealing clause.

SEC. 7. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 8. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 137

AN ACT TO VALIDATE SCHOOL BONDS OF WEST HICKORY.

Preamble: election validating bonds.

Whereas an election has been duly held in the incorporated town of West Hickory, North Carolina, under the provisions of the Municipal Finance Act, authorizing sixty thousand dollars of school bonds of the said town, and there are certain minor defects in the proceedings: Now, therefore,

The General Assembly of North Carolina do enact:

Bonds validated.

SECTION 1. The sixty thousand dollars of school bonds of West Hickory dated January first, one thousand nine hundred and twenty-two, authorized by election duly held and carried, are hereby validated in all respects and shall be issued and sold according to the requirements of the Municipal Finance Act, by the officials of the town of West Hickory, and the proceeds of said bond issue shall be immediately turned over to the treasurer of the board of school trustees of West Hickory and be used by them for the purpose of erecting and equipping the school building in said town.

Issue and sale authorized.

Custody and use of proceeds.

Collection and settlement of tax.

SEC. 2. That the tax collector of West Hickory shall collect all taxes levied for school purposes and turn the same over on the last day of each calendar month to the treasurer of the said board of school trustees of West Hickory.

SEC. 3. That the said trustees at the proper time in each year shall certify to the town officials the tax levy necessary for school purposes and said town officials shall then levy the taxes certified. Certificate for tax levy.

SEC. 4. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed. Repealing clause.

SEC. 5. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 138

AN ACT TO AUTHORIZE THE TOWN OF HAZELWOOD TO LEVY AND COLLECT TAXES.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of aldermen of the town of Hazelwood shall have the power to levy and collect a tax of seventy-five cents (75c) on the one hundred dollars valuation of all property, both real and personal, each year, if in the judgment of said board, the same is necessary. Tax rate.

SEC. 2. That all laws in conflict with this act are hereby repealed. Repealing clause.

SEC. 3. That this act shall be in force and effect from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 139

AN ACT VALIDATING THE PROCEEDINGS AND ACTS OF THE COUNTY BOARD OF EDUCATION OF JOHNSTON COUNTY, THE BOARD OF COUNTY COMMISSIONERS OF SAID COUNTY, AND THE BOARD OF TRUSTEES OF BENSON GRADED SCHOOL DISTRICT NUMBER 1, IN BANNER TOWNSHIP, IN SAID COUNTY, RELATING TO THE ISSUANCE AND SALE OF BONDS OF SAID SCHOOL DISTRICT IN THE SUM OF \$20,000, AND AUTHORIZING AND EMPOWERING SAID BOARD OF TRUSTEES TO ISSUE SAID BONDS.

Whereas pursuant to petition of the county board of education of Johnston County, and the request of the board of trustees of Benson Graded School District in Banner Township in said county, the board of county commissioners of said county did order a special election to be held in said school district on August two, one thousand nine hundred and twenty-one, for the purpose of voting upon the question of issuing bonds in the sum

Preamble: order of election.

of twenty thousand dollars, for the purpose of completing and equipping the graded school building and grounds in said school district, making necessary repairs on same, and renting or purchasing athletic grounds and for the annual levying of a tax sufficient to pay same; and

Preamble: vote in favor of bond issue.

Whereas at said election a majority of the qualified voters in said school district voted in favor of the issuance of said bonds and the levying of such tax; and

Preamble: maturity of bonds.

Whereas in said proceedings it is provided that said bonds run twenty years, maturing on June one, one thousand nine hundred and forty-one; and

Preamble: bonds sold.

Whereas said bonds have been advertised for sale and sold by the board of trustees of said school district for par and accrued interest: Now, therefore,

The General Assembly of North Carolina do enact:

Proceedings and acts validated.

SECTION 1. That the proceedings and acts of the county board of education, the board of county commissioners, and the board of trustees of said school district, relating to the election on August two, one thousand nine hundred and twenty-one, and the issuance and sale of said twenty thousand dollars school bonds, and the levying of a tax to pay same, be and the same hereby are validated and approved.

Executions and delivery.

SEC. 2. That the board of trustees of said school district, and they hereby are authorized and empowered to execute said bonds in the tenor and form provided in said proceedings, and to deliver same to the purchaser thereof on receipt of the purchase price.

SEC. 3. This act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 140

AN ACT TO AMEND CHAPTER 113 OF THE PRIVATE LAWS OF 1909, RELATING TO THE CHARTER OF THE TOWN OF GREENVILLE.

The General Assembly of North Carolina do enact:

Salary of mayor.

SECTION 1. That section two of chapter one hundred and thirteen of the Private Laws of the General Assembly of North Carolina of the year one thousand nine hundred and nine, be and the same is hereby amended by striking out the words "nine hundred" where they occur in the last line of said section, and inserting in lieu thereof the words "twelve hundred."

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 19th day of December, A.D. 1921.

CHAPTER 141

AN ACT TO AUTHORIZE WASHINGTON PUBLIC SCHOOL DISTRICT TO ISSUE SCHOOL BONDS.

The General Assembly of North Carolina do enact:

SECTION 1. That the board of school trustees of the city of Washington, by a majority vote, are hereby authorized to submit a petition for election. a petition to the board of aldermen of the city of Washington, to call an election in said Washington Public School District at a time and place to be specified by said school trustees, at any time Time. within the years one thousand nine hundred and twenty-one and one thousand nine hundred and twenty-two, to determine the question whether the board of school trustees of the city of Washington may issue bonds in a sum not exceeding five hundred thousand dollars (\$500,000), bearing interest at a rate not exceeding Question to be determined. six per cent per annum, to provide funds for the construction and Interest. Purpose. equipment of public school buildings in said district and to pay for lands necessary for said schools.

SEC. 2. That upon the submission of said petition, it shall be the duty of the board of aldermen of the city of Washington to order an election to be held in said school district, at such time and place as may be specified by the board of school trustees, to determine whether the board of school trustees of the city of Washington shall be authorized to issue school bonds of a par value not exceeding the sum of five hundred thousand dollars (\$500,000) for the said school district, bearing interest not exceeding six per cent per annum, with interest coupons attached, to aid in the construction and equipment of public school buildings, and in paying for necessary lands for the use of the public schools in said districts. That the said board of aldermen shall, at least Aldermen to order election. thirty (30) days preceding this election, give notice of said election and the purposes thereof by publication in one or more newspapers published in said school district. Notice of election.

SEC. 3. That said election shall be held and conducted in the same manner and under the same requirements of law as may Law governing election. be provided for municipal elections in the city of Washington: *Provided*, that there shall be a new registration of all the qualified voters residing in the Washington Public School District, and *Provido: new registration.* for this purpose the said board of aldermen are empowered to prescribe the rules and regulations for the opening and closing of said registration books: *Provided further*, that the board of aldermen shall appoint the necessary registrars and judges of election; and the registration of voters, except as herein provided, *Provido: election officers.* and the challenge of voters, shall be conducted in the same manner as is now or may hereafter be provided for the election of members of the General Assembly. That the votes shall be Count and return of votes.

	counted at the close of the polls and return of the count made to the board of aldermen within one week next following the election and at a time to be fixed by the mayor of the city, and
Canvass of returns and declaration of result.	at said meeting the board of aldermen shall canvass, tabulate, and declare the result of the election, which shall be recorded in
Record of result.	the minutes of said board of aldermen, and no other record or declaration of said election shall be necessary.
Ballots.	SEC. 4. That at the said election, those who are in favor of issuing said bonds and levying the taxes herein provided for, shall vote ballots with the words written or printed thereon "For School Bonds," and those opposed to issuing said bonds shall vote ballots with the words "Against School Bonds," written or printed thereon.
Effect of election.	SEC. 5. That if at said election a majority of the qualified voters shall cast their ballots "For School Bonds," and the result shall be declared and recorded as aforesaid, then it shall be the duty of the board of aldermen of the city of Washington to prepare bonds in the usual form, in denominations not exceeding one
Denominations of bonds.	thousand dollars (\$1,000) and not less than one hundred dollars (\$100), and the total amount of bonds to be issued shall not
Total amount.	exceed five hundred thousand dollars (\$500,000), which said
Interest.	bonds shall bear interest at a rate not exceeding six per cent per annum, interest coupons being attached thereto, payable semi-annually on the first days of January and July in each year.
Maturity of bonds.	The principal of said bonds shall be payable or redeemable at such time or times, not exceeding thirty (30) years from the date of issue, as the said board of aldermen may determine. That
Authentication.	said bonds shall be signed by the board of school trustees of the city of Washington, by its chairman and attested by the secretary of the said board of school trustees, who shall also attach the corporate seal of the said board of school trustees to each of
Entitlement of bonds.	said bonds. Said bonds shall be styled "Bonds in aid of the construction and equipment of public school buildings and the purchase of lands for sites therefor, in Washington Public School District, Washington, North Carolina."
Bonds delivered to treasurer of school district.	SEC. 6. That upon the preparation, signing, and execution of said bonds, the said board of school trustees of the city of Washington, shall deliver the same to the treasurer of the Washington
Sale of bonds.	Public School District, who shall sell said bonds at such times and in such manner and at such price as the board of school
Specific appropriation of bonds and proceeds.	trustees may direct. That none of said bonds or the proceeds thereof shall be used by the said board of school trustees for any other purpose than is provided in this act.
Bonds numbered.	SEC. 7. That said bonds shall be numbered consecutively and
Authentication of coupons.	the coupons attached shall bear the number of the bonds to which they are attached, and the said coupons shall bear the printed or engraved <i>facsimile</i> of the autograph signature of the

treasurer of the Washington Public School District. The bonds and coupons shall state the time and place when they are due and by what authority issued. The board of school trustees of the city of Washington shall record all the proceedings in respect to said bonds, including the denominations and the number attached to each bond and the date of maturity and the place where payable, in the minutes of the board, and, when sold, the board shall likewise record the denomination and number of each bond, to whom sold and the number of coupons attached. The same data and information regarding the said bonds shall be transcribed upon the minutes of the board of aldermen of the city of Washington. The bonds herein authorized shall not be sold for less than their par value.

Record of bonds.

Record of sales.

Record transcribed on minutes of city.

SEC. 8. That when the said bonds shall have been issued and sold, the proceeds thereof shall be deposited with the treasurer of Washington Public School District. The proceeds of said bonds shall be expended only under the direction of the board of school trustees of the city of Washington, and said board may only expend the proceeds of said bonds in the payment for lands for the use of said school district hereafter or heretofore acquired, and in the construction and equipment of additional school buildings and in repairs to existing school buildings. In addition the board of school trustees may expend thereof not exceeding one thousand dollars (\$1,000) toward the reimbursement of any losses sustained by citizens of said school district in heretofore attempting to provide a home for teachers, and such reimbursement shall be made pro rata in proportion to the losses sustained. That the treasurer of Washington Public School District shall keep the proceeds of said bonds which may come into his hands, separate from all other funds and shall keep separate accounts of the same, and for the faithful performance of his duties in respect to the proceeds of this bond issue, the said treasurer shall execute an official bond payable to the board of school trustees of the city of Washington in the usual form and in such amount as the board of school trustees may direct.

Deposit of proceeds.

Expenditure.

Specific appropriation.

Appropriation for home for teachers.

Funds and accounts kept separate.

Official bonds.

SEC. 9. That after said bonds shall have been issued, the board of aldermen of the city of Washington shall levy annually, at the same time of the levying of city taxes, a tax in sufficient amount on the property and polls within Washington Public School District to provide for payment of the interest on the said bonds and a surplus to be applied toward a sinking fund for the purpose of paying the principal of said bonds. The taxes so levied shall be collected as other taxes and with the same penalties, and shall be safely kept by the treasurer of the school district as a separate fund, and applied, first to the payment of the semiannual installments of interest upon the said bonds, and, secondarily to the creation of a sinking fund as aforesaid. That

Special tax.

Collection.

Separate fund.

Application.

Commissioner of sinking fund.	the board of aldermen shall provide for the appointment of a commissioner of the sinking fund for said bonds, and it shall be
Investment of sinking fund.	his duty to keep the said funds invested in safe securities to be approved by the mayor and board of aldermen of the city of Washington. That the board of aldermen may impose the duties
Duties may be imposed on commissioner of existing fund.	of commissioner of the sinking fund upon said existing commissioner in said city for other sinking funds, whose duties shall thereby be combined, but every safeguard shall be provided for
Commissioner to give bond.	the protection and investment of said sinking fund. The said commissioner of said sinking fund shall be required to execute
Amount.	such bond and in such amount as the board of aldermen may direct. That the said bond shall be at all times sufficient to
Reports.	protect the said school district. And the said commissioner shall make such reports from time to time as the board of aldermen or the board of school trustees of the city of Washington may require.

Exemption from taxation.	SEC. 10. That the bonds authorized to be issued by this act, and their coupons, shall not be subject to taxation by the said city for the raising of revenues until after they shall have become due and tender of payment made; and if the holder of any said bonds or coupons shall fail to present the same for payment at the time or times and at the place or places therein named, he shall not be entitled to any interest thereon after maturity.
Interest to cease at maturity.	
Act continued in effect.	

SEC. 11. That chapter four hundred and nine of the Public Laws of North Carolina, session of one thousand eight hundred and ninety-nine, entitled "An act to establish graded schools in the town of Washington," and all the provisions thereof, shall remain in full force and effect and shall be applicable to the Washington Public School District, except insofar as the same is modified by this act or by other acts.

Repealing clause.	SEC. 12. That all laws and clauses of laws in conflict with this act are hereby repealed.
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SEC. 13. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 142

AN ACT TO AMEND THE CHARTER OF THE FAYETTEVILLE GRADED SCHOOLS.

The General Assembly of North Carolina do enact:

SECTION 1. That the charter of the Fayetteville Graded Schools, being chapter three hundred and eighty-two (382) of Public Laws, session one thousand nine hundred and three, as amended by chapter two hundred and ninety-seven (297) of

Public Laws, session one thousand nine hundred and nine, by chapter fifty (50) of Private Laws, session one thousand nine hundred and eleven, and other amending acts, be and the same is hereby further amended by adding to the end of section nine (9), chapter three hundred and eighty-two (382), of Public Laws, session one thousand nine hundred and three, the following words: "The said board of trustees is authorized and empowered, from time to time, by a majority vote of the entire membership of the board, to borrow money and issue the note or notes of the Fayetteville Graded Schools, signed by the chairman and secretary, and under its corporate seal, in an amount not to exceed seventy-five per centum (75%) of the estimated tax money of the fiscal year; the proceeds to be used for payment of salaries of officers, teachers, and employees, and for other current expenses.

Trustees empowered to borrow money.

Limit of amount.

Use of proceeds.

SEC. 2. That all laws or parts of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 143

AN ACT TO AMEND CHAPTER 138 OF THE LAWS OF 1901.
INCORPORATING THE TRUSTEES OF LINCOLN HOSPITAL.

The General Assembly of North Carolina do enact:

SECTION 1. That chapter one hundred and thirty-eight of the laws of one thousand nine hundred and one, incorporating the trustees of the Lincoln Hospital, be so amended as to read as follows:

"SECTION 1. That the board of trustees of Lincoln Hospital elected as hereinafter provided, and their successors, be and they are hereby created a body politic and corporate, under the name and style of 'Trustees of Lincoln Hospital,' by which name they may contract and be contracted with, sue and be sued, have perpetual succession, and a common seal, which they may alter at pleasure. As such corporation they may establish, conduct, and maintain a hospital in the county of Durham, for the reception and treatment of persons of the colored race who may need medical or surgical attendance, during temporary or permanent sickness or injury, under such rules and regulations as they may from time to time establish, and in their discretion may provide for the training of nurses as a separate department or as a part of the hospital, and under such rules and regulations as they may from time to time establish."

Board of trustees incorporated.

Corporate name.

Corporate powers.

To establish, conduct and maintain hospital.

Nurse training.

Number of trustees. Term of office.	SEC. 2. That the board of trustees of Lincoln Hospital shall consist of fifteen members and shall hold office for two years and until their successors are elected and qualified, elected as follows:
Election of trustees.	One by the board of aldermen of the city of Durham and one by the county commissioners of Durham County; one by Mr. James Buchanan Duke during his life, and after his death by his nearest blood relative, who is above seventeen years of age; one by Mr. Benjamin N. Duke during his life, and after his death by his nearest blood relative over seventeen years of age; one by the white Medical Society of the city of Durham; one by the faculty of the National Training School; one by the members of the graded schools of the city of Durham; one by the colored Ministerial Association of Durham; two by the directors of the North Carolina Mutual Insurance Company; two by the directors of the Royal Knights of King David, and three by the colored Medical Society of the city of Durham. That the trustees shall serve from January following their election, which election shall take place not later than December thirty-first. In the event that either of the various bodies or organizations hereinbefore designated shall fail to elect a trustee or trustees as above required and requested, the board of trustees of Lincoln Hospital shall elect such trustees as they may see fit.
Beginning of term.	
Date of election.	
Trustees to elect.	
Power to hold property.	SEC. 4. That said corporation may acquire, receive, take, sell, and dispose of all real and personal estate without restriction as to quantity or value thereof, which may from time to time be given, granted, bequeathed, devised or sold to it and accepted by it for the purposes and uses of the said hospital: <i>Provided</i> , always that both the principal and the income thereof shall be appropriated, and the property held, according to the terms of the donation, devise,* or bequest.
Proviso: terms.	
Term of office.	SEC. 5. That the persons named in section two of this act shall hold office as trustees as long as they faithfully perform the duties of said office. Whenever a trustee shall die, resign, refuse to act or become incompetent to discharge the duties of his trust or shall be found by said trustees to be guilty of gross immoral conduct, or acting in bad faith towards the hospital, his office shall be declared vacant by a two-thirds vote of the trustees then in office. <i>It is further provided</i> , that in the selection of such trustees there shall be no discrimination against or in favor of any religious sect or denomination. The said trustees shall elect from their number at each annual meeting to be held on the first Monday night in February of each year, a president, vice-president, secretary, treasurer, and such other officers as they may deem fit, whose term of office shall be for one year, and until their successors are elected and qualified.
Vacancies.	
Discrimination forbidden.	
Election of officers.	
Officers.	
Contracts or deeds.	SEC. 6. That all contracts or deeds of said corporation shall be made in the name of the trustees of Lincoln Hospital and signed

by such officers thereof as may now by law execute deeds of other corporations within the State; that no trustee shall be personally or individually liable for any of the debts, obligations, contracts, engagements, torts, acts, or omissions of the corporation.

SEC. 7. That said trustees shall have power to make all such rules, regulations, by-laws, and ordinances as they may deem necessary or useful for the conduct and management of said hospital, and the management of its affairs, and may alter, amend or repeal the same at pleasure by the vote of a majority of the trustees. They especially have the power to provide and enforce regulations for the selection, admission, treatment, and dismissal of patients. They may provide for the duties and services of all officers, committees, attendants, and employees.

Trustees not personally liable.

Rules, regulations, by-laws, and ordinances.

Regulations for selection, admission, treatment, and dismissal of patients.
Duties and services of officers and employees.

SEC. 8. That any number of persons may associate themselves together under the name and style of the Lincoln Hospital Association for the purpose of aiding in the maintenance of said hospital, and may collect from each member of said association annual dues not exceeding ten dollars, which shall be regularly paid to the treasurer of said trustees.

Associations for aid.
Official title

Annual dues.

SEC. 9. That the city of Durham and the county of Durham is hereby authorized to annually or oftener donate money to said trustees of Lincoln Hospital in aid of the maintenance and support of said hospital.

Donations from city and county.

SEC. 10. That the board of trustees of Lincoln Hospital shall have power to conduct a school independent of the hospital for the purpose of training nurses of the standard grade for nurses training, and may make such rules and regulations in establishing and maintaining said school as are necessary.

School for training nurses.

Rules and regulations.

SEC. 11. This act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 144

AN ACT TO AUTHORIZE THE TOWN OF NORTH WILKESBORO TO ISSUE BONDS TO FUND ITS GRADED SCHOOL DEBT.

Whereas there is a deficit of approximately five thousand three hundred dollars in the cost of the construction of the graded school building in the North Wilkesboro Graded School District, a further deficit of four thousand dollars in the operating expenses of the North Wilkesboro Graded Schools for the year one thousand nine hundred and twenty and twenty-one, and a still further indebtedness of approximately six thousand dollars incurred by the present board of trustees of North Wilkesboro Graded School for the necessary running expenses and teachers' salary for the

Preamble: deficits in funds.

current school year, all of which indebtedness is now floating and is being carried by the banks in the town of North Wilkesboro; and

Preamble: banks refusing to carry debt.

Whereas the said banks are refusing to carry said floating indebtedness longer; and

Preamble: suspension of school.

Whereas unless said floating indebtedness is funded, the current session of the graded schools of North Wilkesboro will face the necessity of suspending for all or the greater portion of the spring term: Therefore,

The General Assembly of North Carolina do enact:

Purpose of bond issue.

SECTION 1. That for the purpose of paying off and discharging the floating indebtedness of the North Wilkesboro Graded School District, the boundaries of which are coterminous with the boundaries of the town of North Wilkesboro, as set forth in the preamble of this act, and amounting approximately to sixteen thousand dollars, and which is hereby declared to be a valid obligation on the town of North Wilkesboro, it shall be the duty of the governing board of the town of North Wilkesboro, and they are hereby directed upon the written request of the board of trustees of the North Wilkesboro Graded School, accompanied by a petition signed by one-third of the voters of the town, immediately to call a special election in said town at which special election the question of the issue of bonds of said town, in an amount not exceeding sixteen thousand dollars, shall be submitted to the qualified voters of said town, said election to be held, as nearly as may be, in accordance with the laws governing municipal elections in said town, except as herein otherwise provided.

Election to be called.

Question to be voted on.

Law governing election.

Details of petition.

SEC. 2. In their written request to the governing board of the town of North Wilkesboro, the trustees of the North Wilkesboro Graded School shall state the amount of bonds to be voted for, their denomination or denominations, the time during which they shall run, the rate of interest which they shall bear, which rate shall not exceed six per centum per annum, and the general purpose for which they are to be issued; and the governing board of said town shall incorporate the substance of these statements in the notice of the time and place of said election and cause said notice to be published once a week for four successive weeks immediately preceding said election in some newspaper published in the town of North Wilkesboro. There shall be a new registration for said special election and this requirement shall also be incorporated in the notice of said election.

Notice of election.

New registration.

Election officers.

SEC. 3. That upon the receipt of the request from the board of trustees of the North Wilkesboro Graded School to call said election, it shall be the duty of the governing board of said town,

- either at a regular or call meeting, to appoint a registrar and two judges of said election. The registrar shall provide for himself a new registration book and shall keep the same open for the registration of all persons in said town who may apply to him for registration, and who may be qualified under the general election laws of this State to register and vote in any general election. Said election shall be held on such Monday as may be designated in the notice thereof, and the registration books shall be open at nine o'clock a.m. on the third Saturday preceding the day of election and close at nine o'clock p.m. on Friday next preceding the day of election. The registrar during said period shall keep the registration books open either at his residence or place of business on all week days except Saturdays, and on each Saturday during the period for registration he shall keep the book open at the polling place from nine o'clock a.m. until sunset. On the Saturday next preceding the day of election the registrar and two judges shall meet at the polling place at nine o'clock a.m. for the purpose of hearing and determining challenges, if any shall be made.
- SEC. 4. It shall be the duty of the registrar and judges to conduct said election, canvass the votes and declare the result thereof and certify the result and returns to the governing board of the town of North Wilkesboro, which returns shall be recorded by the town clerk in the records of the town.
- SEC. 5. That at said election those electors in favor of the issue of said bonds shall vote a ticket on which shall be written or printed the words, "For Bonds and Schools," and those electors opposed to the issue of said bonds shall vote a ticket on which shall be written or printed the words "Against Bonds and Schools."
- SEC. 6. In case a majority of the voters in said election shall vote in favor of the issue of said bonds, it shall become the duty of the governing board of the town of North Wilkesboro, without unnecessary delay, to issue bonds in such amount as may be requested in writing by the board of trustees of North Wilkesboro Graded School, not to exceed sixteen thousand dollars, said bonds to be in such denominations, of such form and tenor, payable at such time or times not exceeding thirty years from date thereof, and at such place or places as the board of trustees of the North Wilkesboro Graded School shall determine and certify to the governing board of the town of North Wilkesboro. They shall bear a rate of interest not exceeding six per cent per annum, payable semiannually, which interest shall be evidenced by coupons attached to said bonds. Said bonds shall be signed by the mayor of said town and countersigned by the town clerk, and shall bear the corporate seal of said town, and the coupons
- Registration.
- Date for election.
- Registration.
- Challenge day.
- Conduct of election.
Canvass of votes and declaration of result.
Record of returns.
- Tickets.
- Effect of election.
- Limit of amount.
- Maturity.
- Interest.
- Authentication.

shall be signed by the clerk of said town or his signature may be lithographed thereon, and the coupon need not bear the corporate seal of said town.

Bonds delivered
to trustees.

SEC. 7. Upon the issue of said bonds it shall be the duty of the governing board of the town of North Wilkesboro to deliver them to the chairman of the board of trustees of the North Wilkesboro Graded School, and said board of trustees may sell them at either purposes expressed in this act: *Provided*, the purchasers thereof shall not be responsible for the application of the proceeds of said bonds: *Provided further*, said bonds shall not be sold for less than their par value.

Sale of bonds.

Proviso:
responsibility of
purchaser divested.

Exemption from
taxation.

SEC. 8. That said bonds and their coupons shall not be subject to taxation by the town of North Wilkesboro or for the benefit of the North Wilkesboro Graded School.

Special tax.

SEC. 9. That for the purpose of paying the annual interest on said bonds as the same may accrue, and paying the principal thereof as the same matures, the governing body of the town of North Wilkesboro shall annually, and at the time of levying municipal taxes, levy a tax on all subjects of taxation within the town of North Wilkesboro on which said governing board may now or may hereafter be authorized to levy taxes for other municipal purposes, sufficient in rate and amount to pay said interest as it accrues and the principal of said bonds at their maturity.

Vacancies in
election officers.

SEC. 10. That in the event that the registrar or judges of the election authorized by this act shall refuse to act or become incapacitated to act, it shall become the duty of the mayor of the town of North Wilkesboro to appoint other electors to serve in their places.

Repealing clause.

SEC. 11. That all laws and clauses of laws in conflict with this act are hereby repealed.

SEC. 12. That this act shall be in force and effect from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 145

AN ACT CONCERNING THE ESTABLISHING OF HIGH SCHOOL DISTRICTS IN ALAMANCE COUNTY, NORTH CAROLINA.

The General Assembly of North Carolina do enact:

Creation of
district authorized.

SECTION 1. The county board of education of Alamance County is authorized and empowered to establish, create, and by and with the assent of the qualified voters of said territory provide

for the building and maintaining of a high school in that section of Alamance County located in the southeastern part of the county, and with boundaries as agreed to and adopted by the county board of education at the date of this act, which boundaries in detail are on file in the office of the superintendent of public instruction of Alamance County.

SEC. 2. That when said district shall be so established it shall be and constitute a body corporate and shall be subject to all the laws and regulations governing other high schools and high school districts and the trustees or directors therein shall have all the power and authority of the trustees of other high school districts.

Incorporation.

Laws governing high schools.

Powers of trustees.

SEC. 3. That upon the petition of one-fourth of the qualified voters resident in said high school district and upon such petition being approved by the county board of education of Alamance County, the board of commissioners of Alamance County shall order held and shall provide for the holding of a special election in such high school district to determine whether there shall be issued by such district bonds, and whether there shall be levied in such district a tax to pay the interest upon said bonds; to create a sinking fund for the retiring of said bonds at maturity and to maintain such high school: *Provided*, that bonds shall not be issued in excess of the par value of twenty-five thousand dollars, and that the tax to be levied shall not exceed thirty cents on the one hundred dollars valuation of property in said district. The amount of the bonds issued and the amount of the tax to be levied shall be as fixed in the petition for said election, subject to the foregoing limitation. The petition may ask only for an election as to tax without bonds, and in such event the election shall be so held.

Petition for election.

Order for election.

Question to be determined.

Proviso: limit of bond issue and tax.

Election for tax only.

SEC. 4. That in the event the election is ordered and held for bonds or tax, or both, provided for in the next preceding section hereof is ordered and held, then it shall be held in all respects as by law provided for elections in special school tax districts upon the question of levying a special tax for schools. There shall be a new registration for the purposes of said election.

Law governing election.

SEC. 5. In the event such election is ordered and held, the ballots shall contain the words as provided for in the petition. In the event the election held for bonds and a majority of the qualified voters shall vote in favor of issuing said bonds, then the same shall be issued and sold for not less than par under the supervision and direction of the county board of education, but the proceeds thereof shall be exclusively used for building and other purposes connected with the high school in said district. In the event the election is held for levying of the tax herein provided for, and if the proposition to levy said tax should carry by a majority of the qualified voters in said district, then

Ballots.

Effect of election.

Specific appropriation of proceeds.
Tax levy.

Specific appropriation.

Selection of trustees.

Nonresident pupils.

Proviso: approval of county board.

Repealing clause.

the county commissioners of Alamance County, at the time of levying other taxes shall levy and cause to be collected the special tax so voted in said district, and the same shall be placed to the credit of the trustees of said school district as are other school funds to other trustees of other local tax districts in Alamance County. That such funds shall be used as provided by law and in this act.

SEC. 6. That if said district shall be so established, the county board of education shall name a board of trustees of not more than five nor less than three, who shall be residents of said district.

SEC. 7. That the trustees of said high school are authorized and empowered to permit pupils from other districts in Alamance County, or from other counties, to attend such high school under such conditions and subject to such restrictions and upon such terms as they may see fit: *Provided*, that such terms, restrictions, and conditions shall be approved by the county board of education of Alamance County.

SEC. 8. All laws and parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 9. That this act shall be in force and effect from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 146

AN ACT TO AMEND THE CHARTER OF THE TOWN OF HOT SPRINGS, MADISON COUNTY, NORTH CAROLINA, AUTHORIZING THE TOWN TO SELL ITS REAL ESTATE.

The General Assembly of North Carolina do enact:

Proviso: power to sell land.

Execution and delivery of deed.

Repealing clause.

SECTION 1. That chapter two hundred and fifty-nine, Private Laws of North Carolina, session of one thousand nine hundred and eleven, be amended by adding at the end of section ten of said chapter the following: "*Provided further*, when lands are so acquired, the board of aldermen are hereby authorized and empowered to make sale of its lands or any part thereof in any manner or under any conditions, as in their opinion may be advisable, and in making such sales the mayor of said town shall execute and deliver a deed therefor in the name of the town of Hot Springs, under its corporate seal."

SEC. 2. That all laws and clauses of laws in conflict with this act be and the same are hereby repealed.

SEC. 3. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 147

AN ACT TO AUTHORIZE THE AYCOCK GRADED SCHOOL DISTRICT OF WASHINGTON COUNTY TO ISSUE BONDS FOR THE PURPOSE OF ERECTING A BUILDING FOR PUBLIC SCHOOLS.

The General Assembly of North Carolina do enact:

SECTION 1. That upon written petition signed by the majority of the trustees of the Aycock Graded School District, Washington County, requesting an election in said district on the subject of the bond issue described herein, it shall be the duty of the county commissioners of Washington County to order an election to be held in the Aycock Graded School District to determine the question: Shall the Aycock Graded School District issue bonds of the said district in an amount not to exceed ten thousand dollars (\$10,000) to provide a fund for the erection of a building for the accommodation of the public schools of said district, and shall said district levy taxes sufficient to retire said bonds? The said board of county commissioners shall at least thirty days preceding such election give public notice of such election by publication in one or more newspapers having circulation in said district, and by posting in at least three public places in said district.

Petition for election.

Order for election.

Question to be voted on.

Notice of election.

SEC. 2. That the said election shall be held and conducted in the same manner and under the same requirements of law as are now in force or may hereafter be prescribed by law for holding elections for members of the General Assembly: *Provided*, that prior to said election there shall be new registration of all qualified voters residing in said district, and for this purpose the board of county commissioners is hereby empowered and directed to prescribe such rules and regulations for the opening and closing of said registration books as may seem fit and proper.

Law governing election.

Proviso: new registration.

SEC. 3. That at said election the ballots tendered and cast shall have written or printed thereon "For School Bonds and Taxes" or "Against School Bonds and Taxes," and all qualified electors in favor of this issue of bonds and the levy of a special tax to retire same, shall vote a ticket upon which shall be written or printed the words "For School Bonds and Taxes," and all qualified electors who may oppose the issue of bonds and levy of said tax shall vote a ticket on which shall be written or printed the words "Against School Bonds and Taxes." The votes cast at this election shall be counted at the close of the polls and the return of the said election made to the said board of commissioners at its first regular meeting next following the election, and the said board shall canvass, tabulate, and declare the result of the elec-

Ballots.

Count and return of votes.

Canvass of returns and declaration of result.

tion, which shall be recorded in the minutes of the board, and no other recording and declaration of the result of said election shall be necessary.

Effect of election.

SEC. 4. That if a majority of the qualified voters of the said school district shall vote "For School Bonds and Taxes," then the board of trustees of said district shall prepare bonds of the said district to an amount not to exceed ten thousand dollars (\$10,000) and in such denomination as the said board may determine, which bonds shall bear a rate of interest not to exceed six per cent per annum, and the principal of said bonds shall be payable or redeemable at such time not to exceed thirty years from the date of issue, as said board of trustees may determine. The said bonds shall be signed by the chairman of the said board, countersigned by the clerk of the said board, and shall have upon them the seal of said district.

Amount of bond
issue.
Denominations.
Interest.

Maturity.

Authentication.

Delivery and sale
of bonds.

SEC. 5. That upon the preparation, signing, and execution of said bonds the said board of school trustees shall deliver the same to the treasurer of Washington County, who shall sell said bonds at such times and in such manner as the said board of trustees may direct: *Provided*, that none of the said bonds may be sold for less than their par value; and, *Provided further*, that none of said bonds, or of the proceeds of said bonds, shall be used for any purpose other than is herein specified. The proceeds arising from the sale of said bonds shall be deposited with the treasurer of Washington County, shall be kept separate from all other funds of said county, and shall be paid out only upon the order of the trustees of the Aycock Graded School District.

Proviso: sale
below par
forbidden.
Proviso: specific
appropriation.

Deposit of
proceeds.

Expenditures.

Treasurer to give
bond.

SEC. 6. It shall be the duty of the treasurer of Washington County to execute an official bond conditioned upon the faithful performance of his duties imposed herein and payable to the State of North Carolina for the use of said school trustees in the usual manner and in such amount as the said school trustees shall require.

Use of proceeds.

SEC. 7. That the proceeds arising from the sale of said bonds shall be expended by the trustees of the Aycock Graded School District for the erection in said district of a suitable building for the accommodation of the public schools of the said district: *Provided further*, that the said trustees are hereby authorized to determine the site and location of such building; and, *Provided further*, that the said trustees are hereby authorized to expend a part of said proceeds for the purchase of a site for said building should such expenditure be necessary.

Proviso: site
and location.
Proviso: purchase
of site.

Special tax.

SEC. 8. That if, in the election provided for in this act, a majority of the qualified voters of said district shall have voted "For School Bonds and Taxes," and the said bonds shall have been issued and sold, the board of county commissioners of Washington County is hereby authorized and directed to levy annually

upon the property and polls of said Aycock Graded School District a special tax sufficient to provide for the payment of the interest on such bonds and to create a sinking fund sufficient to retire such bonds at their maturity: *Provided*, that in all taxes levied under the authorization of this section, the constitutional equation between taxes on property and taxes on polls shall be observed. The aforesaid tax shall be levied and collected as the other taxes of the county of Washington are levied and collected, and shall be turned over to the treasurer of said county and kept by him as a separate fund to be applied to the purpose mentioned in this section and to no other purpose.

Proviso: constitutional equation.

Levy, collection and settlement.

SEC. 9. That all laws and clauses of laws in conflict with the provisions of this act are hereby repealed.

Repealing clause.

SEC. 10. That this act shall be in force from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 148

AN ACT TO VALIDATE CERTAIN BOND ISSUES AGGREGATING \$500,000 OF THE CITY OF WILMINGTON AND THE SALE THEREOF.

Whereas the city of Wilmington, in the State of North Carolina, did, during the year one thousand nine hundred and twenty-one, issue its refunding bonds in the sum of three hundred thousand dollars and its street improvement bonds in the sum of two hundred thousand dollars, both of said issues aggregating the sum of five hundred thousand dollars, and all of said bonds being serial bonds and having been issued pursuant to the provisions contained in the Municipal Finance Act of North Carolina, and under duly authorized ordinances and resolutions duly adopted by the governing body of said city of Wilmington; and

Preamble: issue of bonds.

Whereas the said bonds have been sold by said city of Wilmington to the Wilmington Savings and Trust Company, of Wilmington, North Carolina, and it is proposed by this act to validate the same and the said sale: Now, therefore,

Preamble: sale of bonds.

The General Assembly of North Carolina do enact:

SECTION 1. That all the proceedings and acts heretofore done or taken by said governing body of the city of Wilmington, in any way relating to the said ordinances, resolutions, proceedings, or other acts of said governing board, or any way relating to the issue of said bonds, be, and the same are hereby, in all respects legalized, ratified, approved, validated, and confirmed, and the said sale of said bonds to said Wilmington Savings and Trust

Proceedings confirmed.

Sale validated.

Company, of Wilmington, North Carolina, be and the same is hereby ratified, legalized, validated, approved, and confirmed in all respects, both the said issuance of bonds and the sale thereof being legalized, ratified, approved, validated, and confirmed, notwithstanding any provision in the Municipal Finance Act or amendments thereof to the contrary.

SEC. 2. That this act shall be in full force and effect from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 149

AN ACT TO VALIDATE AN ELECTION HELD IN MOCKSVILLE SCHOOL DISTRICT AND BONDS VOTED FOR BY THE CITIZENS OF SAID DISTRICT AT AN ELECTION HELD THEREIN ON THE 6TH DAY OF SEPTEMBER, 1921.

Preamble :
additions to
district.

Whereas on the first day of August, one thousand nine hundred and twenty-one, the board of education of Davie County, North Carolina, by and with the consent, endorsement, and approval of the trustees of "The Mocksville Graded School," cut off of and consolidated with the said graded school portions of Bethel School District, Oak Grove School District, Wholman's School District, Center School District, and Jerico School District (all of the same being nonspecial-tax school districts), and formed one school district known and styled "Mocksville School District," containing twenty-five square miles territory ; and

Preamble : petition
for election.

Whereas upon a petition of one-fourth of the freeholders of the said Mocksville School District duly endorsed by the board of education of Davie County and filed with the board of commissioners of said county, August first, one thousand nine hundred and twenty-one, asking for an election to ascertain the will of the people within the said district whether there be levied therein a special annual tax of not more than thirty cents on the one hundred dollar's valuation of property to supplement the public school fund apportioned to said district by the county board of education in case a special tax should be voted ; and

Preamble : presen-
tation to county
commissioners.

Whereas on said date, August first, one thousand nine hundred and twenty-one, upon the petition and request of the board of trustees or governing body of Mocksville School District, formed as above mentioned, duly signed and endorsed by the board of education of Davie County, and filed with the board of commissioners of Davie County petitioning for an election to ascertain whether the voters in said district were in favor of issuing bonds in the amount of forty-five thousand dollars and levying a suf-

ficient annual tax to pay the same and interest, on the one hundred dollars valuation of property, for the purpose of erecting, enlarging, altering, and equipping school buildings and furnishing the same with suitable equipment; and

Whereas said election was duly ordered to be held by said board of commissioners in said Mocksville School District according to the prayer of the petitioners, on September the sixth, one thousand nine hundred and twenty-one; and

Preamble: election ordered.

Whereas at said election a majority of the qualified voters in said school district cast their votes in favor of said special school tax and in favor of said bond issue: Now, therefore,

Preamble: vote in favor of tax.

The General Assembly of North Carolina do enact:

SECTION 1. That all acts and proceedings done or taken by the board of education of Davie County in the formation of the said Mocksville School District and the consent and approval of the board of trustees of Mocksville Graded School, consenting, approving, and endorsing the action of the said board of education, be and the same are hereby ratified, approved, and confirmed.

Acts and proceedings validated.

SEC. 2. That all acts and proceedings done or taken in or about the calling, holding, or conducting of the election at which said vote was cast for said special tax and said bond issue are hereby legalized and validated; and the said tax and bonds so voted are hereby authorized to be levied or issued in accordance with the propositions so adopted at said election and in accordance with the statute under which said votes, acts, and proceedings were had and done.

Acts and proceedings in holding election validated.

Election validated.

SEC. 3. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

SEC. 4. That this act shall be in force and effect from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

CHAPTER 150

AN ACT TO AUTHORIZE BELHAVEN GRADED SCHOOL OF BELHAVEN, NORTH CAROLINA, TO ISSUE BONDS FOR THE PURPOSE OF BUILDING A HIGH SCHOOL, TEACHERAGE, AND TO PURCHASE EQUIPMENT THEREFOR.

The General Assembly of North Carolina do enact:

SECTION 1. That for the purpose of erecting a high school building, teacherage, and purchasing equipment therefor in the town of Belhaven, the board of trustees of Belhaven Graded School is hereby authorized to issue bonds not exceeding sixty

Purpose of bond issue.

Bond issue authorized. Amount.

Proviso: election
on amounts.

thousand dollars at different times and in such installments as it may elect: *Provided*, the amount of each installment is submitted to the qualified voters of Belhaven Graded School District as defined and bounded in section one (1), chapter three hundred and forty-nine, Private Laws of North Carolina, for their approval.

New registration.

SEC. 2. That upon request of the board of trustees of Belhaven Graded School the board of aldermen of the town of Belhaven shall order a new registration of the voters of the Belhaven Graded School District, and such registration shall be sufficient for any and every installment of bonds that may be voted on as required by this act; that the said board of aldermen shall appoint a registrar and two pollholders who shall serve for each installment of bonds that may be submitted to the voters under this act, and shall qualify and act in each and every election authorized herein in accordance with the existing school law.

Election officers.

Advertisement of
election.

SEC. 3. That when the new registration is called the board of trustees of Belhaven Graded School shall publish said election by posting notice thereof at the courthouse door of Beaufort County, and three other public places in said county, for thirty days immediately preceding said election, and by publishing said notice in the *Belhaven Journal*, a weekly newspaper published in the town of Belhaven, once a week for four weeks, setting forth the amount of the bond issue, its purpose and the time and place where said election shall be held; that tickets shall be provided by the board of trustees of Belhaven Graded School and shall be printed in accordance with the laws governing town elections of the town of Belhaven; that those favoring the said bond issue shall vote a ballot "For Bond Issue," and those against it shall vote a ballot "Against Bond Issue."

Tickets provided
by trustees of
school.

Tickets.

Canvass and
certificate of
votes.

SEC. 3 (a). That the vote shall be canvassed and certified to the board of trustees of Belhaven Graded School in accordance with laws governing town elections of the town of Belhaven, and if a majority of votes cast shall be "For Bond Issue," the board of trustees of Belhaven Graded School shall have authority to issue bonds as set forth in its notice of election as hereinafter set forth.

Effect of election.

Issue of bonds.

Denominations.

SEC. 4. That such bonds as may be authorized may be issued by the board of trustees of Belhaven Graded School. They shall be in denominations of one thousand dollars each, numbered serially, and issued in such form as the board of trustees of Belhaven Graded School shall elect, payable not exceeding thirty years after date, with interest payable semiannually, principal and interest to be paid at such banking institution as it may elect. The bonds shall be coupon bonds and shall bear interest at a rate not exceeding six per cent per annum; they shall be signed

Maturity.

Coupon bonds.
Interest.
Authentication.

by the chairman of the board of trustees and attested by its secretary, and the interest coupons shall bear the *facsimile* signature of the said chairman and the said secretary.

SEC. 5. That such bonds as may be authorized may be sold by the board of trustees of Belhaven Graded School at public or private sale, and in such manner as it may determine; the proceeds derived from the sale thereof shall be used for no other purpose than that specified in this act; that the board of trustees shall request, and upon such request the board of aldermen of the town of Belhaven shall levy an annual tax sufficient to take care of the bonds that may be issued under this act; that a sinking fund shall be provided by the board of trustees of Belhaven Graded School, and the taxes levied and collected under this act shall be placed in said sinking fund by the treasurer of said Belhaven Graded School, and shall be used for no other purpose than paying the interest and principal of said bonds for which the levy was made.

Sale of bonds.

Specific appropriation of proceeds.

Special tax.

Sinking fund.

Specific appropriation.

SEC. 6. That all laws and clauses of laws in conflict with this act are hereby repealed.

Repealing clause.

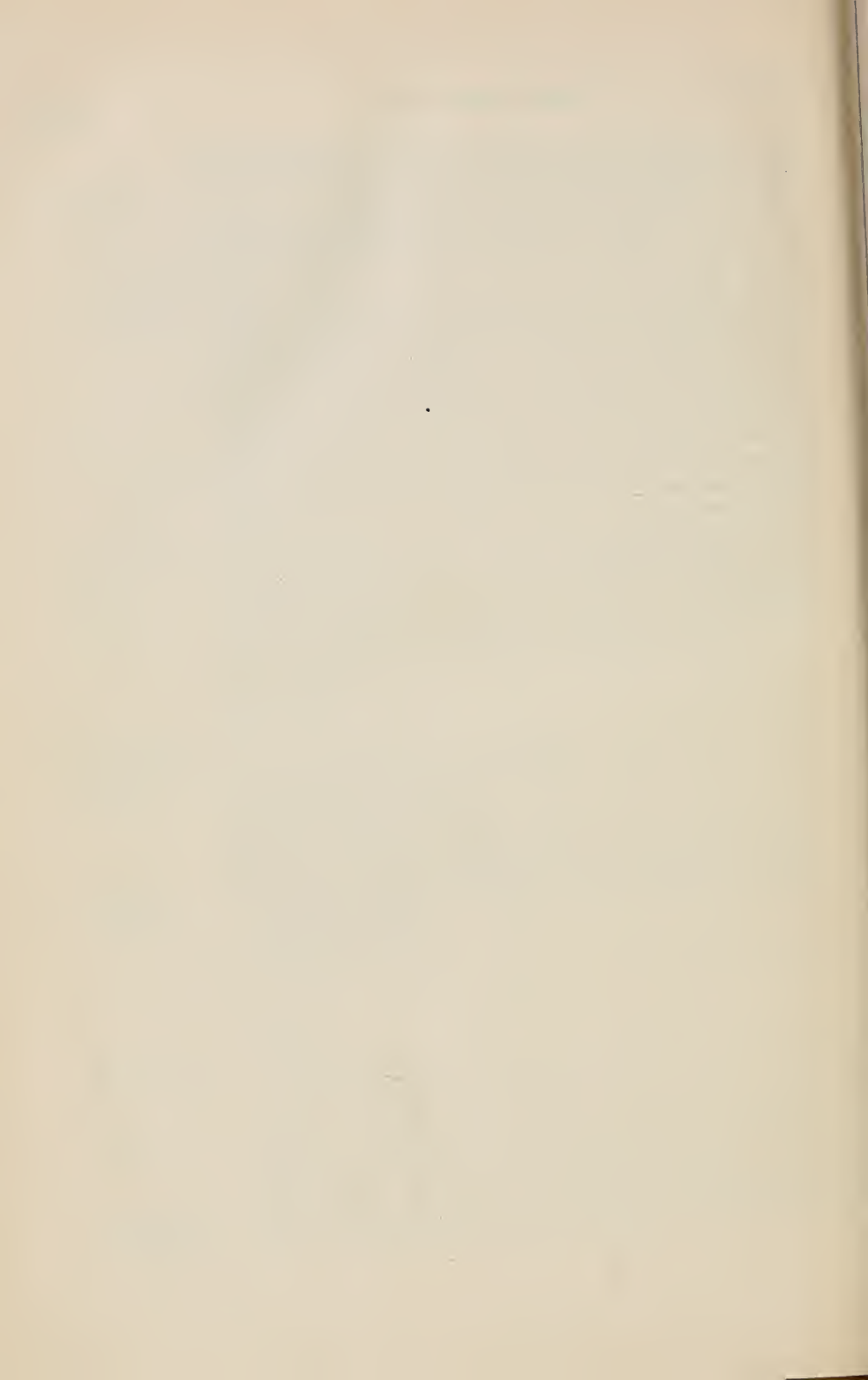
SEC. 7. That this act shall become effective from and after its ratification.

Ratified this the 20th day of December, A.D. 1921.

STATE OF NORTH CAROLINA,
OFFICE OF SECRETARY OF STATE,
RALEIGH, January 6, 1922.

I, J. Bryan Grimes, Secretary of State of the State of North Carolina, hereby certify that the foregoing (manuscript) are true copies of the original acts and resolutions on file in this office.

J. BRYAN GRIMES,
Secretary of State.



INDEX TO PRIVATE LAWS

EXTRA SESSION, 1921

A	PAGE
Alamance County, high school districts.....	190
Amcena Female Seminary, charter amended.....	3
Andrews, bonds	146
charter amended	139
Ashboro Graded School, increase of tax rate.....	70
Asheville, election of city solicitor.....	101
school advisory board.....	103
Aycock Graded School bonds.....	193
Ayden, street improvements.....	52

B	
Bailey, bonds	137
Bailey White School District bonds.....	35
Bakersville, bonds	68
improvement of streets.....	172
Belhaven Graded School, bonds.....	197
Benson Graded High School, bonds validated.....	174
proceedings for bond issue validated.....	179
Bessemer City Graded School, bonds.....	37
Bisco Graded School, bonds validated.....	65
• to borrow money.....	134
Bladen County, bond issues of school districts.....	54
Bonds, Andrews	146
Aycock Graded School.....	193
Bailey	137
Bailey White School District.....	35
Bakersville	68
Belhaven Graded School.....	197
Benson Graded High School.....	174
Bessemer City Graded Schools.....	37
Bisco Graded School.....	65
Bladen County, for school districts.....	54
Candor	135
Chadbourn	16
Chapel Hill Graded School.....	120
Charlotte	40
Cherryville	117
Clinton	136
East Spencer	39
Ellenboro School District.....	40
Ellerbe	11
Elm City	79

Bonds—*continued*:

	PAGE
Four Oaks School District.....	143
Franklin (town)	132
Fremont Graded School.....	78
Gastonia Graded School.....	110
Goldsboro	37
Granite Falls Graded School.....	124
Greenville Graded School.....	63
Guilford County	85
Henderson Graded School.....	43
High Point	131
Kings Mountain	67
Kinston	17
Lincolnton	109
Littleton	162
Marion	12
Mocksville	172
School District	196
Mooresville Graded School.....	109
Morehead City	98
Mount Airy	174
Murfreesboro School District.....	55
Murphy	148
North Wilkesboro	187
Oakland Consolidated School District.....	41
Rockingham Graded School.....	57
Rocky Mount	13
Saluda School District.....	123
Sanford	18
School District	59
Siler City	80
Smithfield Township	80
Spindale School District.....	41
Stantonsburg	83
Tarboro School Board.....	66
Thomasville	56
Tryon	95
Washington Public School District.....	181
West Hickory	178
Wilmington	195
Youngsville, sale of.....	76
Boomer Local School Tax District, election on repeal of tax.....	77
Bunlevel, incorporated.....	15
Burlington, school fund.....	108
Burnsville, charter repealed.....	106

C

Candor Consolidated School bonds.....	135
Carrboro, charter amended.....	159
Cerro Gordo, corporate limits.....	73

	PAGE
Chadbourn, bonds	16
Chapel Hill Graded School bonds.....	126
Charlotte, bonds ratified.....	40
to condemn land for school purposes.....	74
Charlotte Park and Recreation Commission, sale of land by.....	118
Cherryville, proceedings validated, bonds.....	117
Children's Home of Union County, incorporated.....	130
Cities and towns:	
Andrews, bonds	146
charter amended	139
Asheville, election of solicitor.....	101
school advisory board.....	103
Ayden, street improvement.....	52
Bailey, bonds	137
Bakersville, bonds	68
improvement of streets.....	172
Bunlevel, incorporated	15
Burlington, school fund.....	108
Burnsville, charter repealed.....	106
Carrboro, charter amended.....	159
Cerro Gordo, corporate limits.....	73
Chadbourn, bonds	16
Charlotte, bonds ratified.....	40
to condemn lands for school purposes.....	74
Cherryville, proceedings validated, bonds.....	117
Clinton, bonds	136
Concord, charter amended.....	160
Dunn, cemetery commission to remove dead bodies.....	105
Durham, operation of rock quarry.....	107
East Spencer, bonds.....	39
charter amended	84
Elizabeth City, license fees.....	120
license taxes	71
Ellerbe, bonds	11
charter amended	12
Elm City, bonds.....	79
Franklin, bonds	132
Goldsboro, advancements ratified.....	101
bonds	37
street railway system.....	75
Greensboro, powers conferred.....	170
Greenville, relating to charter.....	180
Hassell, corporate limits.....	38
Hayesville, corporate limits.....	106
Hazelwood, to levy and collect taxes.....	179
local improvements	111
Hendersonville, charter amended.....	150
charter amended	16

Cities and towns—*continued*:

	PAGE
High Point, bonds.....	131
corporate limits	49
Hillsboro, conveyance to library association.....	116
Hope Mills, charter amended.....	95
Hot Springs, charter amended, to sell real estate.....	192
to transfer real estate.....	169
Kings Mountain, bonds validated.....	67
Kinston, bonds	17
Leaksville, corporate limits.....	89
Lincolnton, school bonds validated.....	109
to sell real estate.....	75
Littleton, relating to bonds of.....	162
Louisburg, to convey abandoned street.....	84
Marion, bonds	12
Mocksville, bonds	172
Morehead City, debt and bonds validated.....	98
Morganton, charter amended.....	121
Mount Airy, school bonds validated.....	174
Murphy, audit of books and accounts.....	167
bonds	148
tax rate	163
New Bern, boundary changed.....	108
to condemn land for sidetrack.....	168
North Wilkesboro, bonds	187
Pinetops, charter amended.....	90
Roanoke Rapids, jurisdiction of recorder.....	102
Rockingham, street improvements.....	86
Rocky Mount, funding bonds.....	13
Roseboro, boundaries	117
Roxboro, penalty and discount on taxes.....	166
Rutherford College, corporate limits.....	36
Salisbury, election and installation of officers.....	158
Sanford, street improvements, bonds.....	18
Siler City, bonds.....	80
Southern Pines, corporate limits.....	122
Stantonsburg, bonds	83
Tarboro, bonds of school board.....	66
Thomasville, bonds	56
recorder's court	163
Trinity, charter amended.....	161
Tryon, bonds	95
Waynesville, discount and penalties on taxes.....	165
local improvements	44
publication of statements.....	175
West Hickory, school bonds validated.....	178
Williamston, use of money from street bonds.....	107
Wilmington, boundary	102

Cities and towns— <i>continued</i> :	PAGE
Wilmington, collection of taxes.....	6
corporate limits	6
expenditure of funds.....	100
issue and sale of bonds validated.....	195
police pension fund.....	167
Winston-Salem, charter amended.....	62
Winton, charter amended.....	25
Youngsville, sale of bonds.....	76
Clinton, bonds	136
Concord, charter amended.....	160
Consolidated School of Candor, bonds.....	135
Consolidated Statutes, amended, chapter 84, article 21, part one.....	144
Corporations:	
Children's Home of Union County, incorporated.....	130
North Carolina Agricultural Society, charter amended.....	144
Saints' Ark, charter revoked.....	87
Supreme Lodge Knights of Harmony, charter amended.....	135
Counties:	
Alamance, high school districts.....	190
Bladen, bond issues for school districts.....	54
Guilford, bonds	85
Lincoln, game law.....	73

D

Dunn, cemetery commissioners to remove dead bodies.....	105
Durham (city), operation of rock quarry.....	68

E

East Spencer, bonds.....	39
charter amended	84
Ellenboro School District, bonds.....	40
Elizabeth City, license taxes.....	71
license tax	120
Elizabethtown High School District, bonds validated.....	54
Ellerbe, bonds	11
Elm City, bonds.....	79
Ellerbe, charter amended.....	12

F

Fayetteville Graded Schools, charter amended.....	184
law relative to, amended.....	165
Four Oaks School District, election and bonds.....	143
Franklin (town), bonds.....	132
Fremont Graded School, bonds validated.....	78

G

Game laws, Lincoln County.....	73
Gastonia Graded School, bonds.....	110

	PAGE
Gilkey Consolidated School District, election validated.....	145
Goldsboro, advancements ratified.....	101
bonds	37
street railway system.....	75
Graded Schools, Ashboro, increase of tax rate.....	70
Aycock, bonds	193
Belhaven, bonds	197
Benson, bonds validated.....	174
proceedings for bond issue validated.....	179
Bessemer City	37
Biscoe, bonds validated.....	65
to borrow money.....	134
Chapel Hill, bonds.....	126
Fayetteville, charter amended.....	184
law relative to, amended.....	165
Fremont, bonds validated.....	78
Gastonia, bonds	110
Granite Falls, bonds	124
Greenville, bonds	63
Henderson, bonds validated.....	43
tax rate	51
Mooresville, bonds	109
Red Springs	8
Rockingham, bonds	57
Love Memorial	140
Sanford, bonds	59
Washington, law amended.....	175
Granite Falls Graded School, bonds.....	124
Greensboro, powers conferred.....	170
Greenville Graded School, bonds.....	63
relating to charter.....	180
Guilford County, bond issue for tuberculosis hospital.....	85

H

Hassell, corporate limits.....	38
Hayesville, corporate limits.....	106
Hazelwood, levy and collection of taxes.....	179
local improvements.....	111
Henderson Graded Schools, bonds validated.....	43
tax rate	51
Hendersonville, charter amended.....	16
charter amended	150
High Point, bonds.....	131
corporate limits	49
High Schools, Sladesville, election validated.....	158
creation by county boards of education.....	190
Hillsboro, conveyance by town to library association.....	116
Hope Mills, charter amended.....	95

PAGE

Hospitals, Lincoln, charter amended.....	185
Hot Springs, charter amended, sale of real estate.....	192
to transfer real estate.....	169

K

Kings Mountain, bonds validated.....	67
Kinston, bonds	17
Knights of Harmony, charter amended.....	135

L

Laws amended:

1891, ch. 58, Private	3
1893, ch. 338, Private	135
1899, ch. 409, Public	175
1901, ch. 74, Private	84
1901, ch. 91, Private	51
1901, ch. 138	185
1903, ch. 68, Private	138
1903, ch. 382, Public	165
1905, ch. 307, Private	4
1907, ch. 344, Private	160
1907, ch. 516, Private	73
1909, ch. 113, Private	180
1909, ch. 357, Private	1
1911, ch. 647, Public-Local, and ch. 304, Public-Local Laws of 1913.....	163
1913, ch. 34, Private	8
1913, ch. 104, Private, and ch. 8, Private Laws of 1917.....	121
1913, ch. 119, Private, extra session.....	68
1913, ch. 304, Public-Local, and ch. 647, Public-Local Laws 1911.....	163
1913, ch. 349, Private	144
1915, ch. 300, Private	158
1915, ch. 341, Private	71
1917, ch. 1, Private	6
1917, ch. 8, Private, and ch. 104, Private Laws of 1913.....	121
1917, ch. 136, ch. V, sec. 1, Public.....	68
1919, ch. 86, sec. 1, Private.....	108
1920, ch. 10, Private	129
1920, ch. 38, Private	101
1921, ch. 138, Private	66

Laws reenacted:

1920, ch. 16, Private	110
-----------------------------	-----

Laws repealed:

1919, ch. 83, Private	106
1920, ch. 57, Private	175
1921, ch. 216, Private	167
1921, ch. 218, Private	117
1921, ch. 431, sec. 7, Public-Local.....	110

Leaksville, corporate limits.....	89
Lenoir College, charter amended.....	4

	PAGE
Lincoln County, game laws.....	73
Lincoln Hospital, charter amended.....	185
Lincolnton, school bonds validated.....	109
to sell real estate.....	75
Littleton, relating to bonds of.....	162
Louisburg, to convey abandoned street.....	84
Love Memorial Graded School District, established.....	130

M

Marion, bonds	12
Mocksville, bonds	172
Mocksville School District, election and bonds validated.....	196
Morehead City, bonds and debt validated.....	98
Morganton, charter amended.....	121
Mount Airy, school bonds validated.....	174
Mount Amena Female Seminary, charter amended.....	3
Murfreesboro School District, bonds validated.....	55
Murphy, audit of books and accounts.....	167
bonds	148
tax rate	163

N

New Bern, boundary change.....	108
to condemn land for sidetrack.....	168
North Carolina Agricultural Society, charter amended.....	144
North Carolina College, charter amended.....	1
North Wilkesboro, bonds.....	187

O

Oakland Consolidated School District, election validated, bonds.....	41
----------------------------------------------------------------------	----

P

Pinetops, charter amended.....	90
Public drunkenness, on Southern Assembly property.....	100

R

Recorders' courts, Thomasville.....	163
Red Springs Graded School, special tax.....	8
Roanoke Rapids, jurisdiction of recorder.....	102
Rockingham, street improvements.....	86
Rockingham Graded Schools, bonds.....	57
Rocky Mount, funding bonds.....	13
Roseboro, boundaries	117
Roxboro, penalty and discount of taxes.....	166
Rutherford College, corporate limits.....	36

S

Saints' Ark, charter revoked.....	87
Salisbury, election and installation of officers.....	158

	PAGE
Saluda School District, bonds.....	123
Sanford, street improvements, bonds.....	18
Sanford Graded School District, bonds.....	59
School districts:	
Bailey White, bonds.....	35
Bladen County bonds.....	54
Boomer Local School Tax, election on repeal of tax.....	77
Consolidated School of Candor, bonds.....	135
Ellenboro, bonds	40
Four Oaks, election and bonds.....	143
Gilkey Consolidated	145
Mocksville, election and bonds validated.....	196
Murfreesboro, bonds validated.....	55
Oakland Consolidated, election validated, bonds.....	41
Saluda, bonds	123
Spindale, election validated, bonds.....	41
Swan Quarter, board of trustees.....	138
Wallace school committee.....	74
Wanchese No. 19, special police officer.....	104
special police officer.....	160
Warrenton, special tax, bonds exempt from tax.....	129
Washington, bonds	181
Schools and colleges:	
Mount Amena Female Seminary, charter amended.....	3
Lenoir College, charter amended.....	4
North Carolina College, charter amended.....	1
Siler City, bonds.....	80
Sladesville High School District, election validated.....	158
Southern Assembly property, drunkenness on, forbidden.....	100
Southern Pines, corporate limits.....	122
Stantonsburg, bonds	83
Supreme Lodge, Knights of Harmony, charter amended.....	135
Swan Quarter School District, election of trustees.....	138

T

Tarboro School Board, bonds.....	66
Teachers' Retirement Fund of Guilford County, to be settled.....	51
Thomasville, bonds	56
recorder's court	163
Trinity, charter amended.....	161
Tryon, bonds	95

W

Wallace School District, school committee.....	74
Wanchese School District No. 19, special police officer.....	104
special police officer.....	160
Warrenton Special Tax School District, bonds exempt from tax.....	129
Washington Graded School, law amended.....	175
Washington Public School District, bonds.....	181

	PAGE
Waynesville, discounts and penalties on taxes.....	165
local improvements	44
publication of statements.....	175
West Hickory, school bonds validated.....	178
White Oak High School District, bonds validated.....	54
Williamston, use of money from street bonds.....	107
Wilmington, boundary	102
collection of taxes.....	6
corporate limits	6
expenditure of funds.....	100
issue and sale of bonds validated.....	195
police pension fund	167
Winston-Salem, charter amended.....	62
Winton, charter amended.....	25

Y

Youngsville, sale of bonds.....	76
---------------------------------	----

